

TWENTY-SECOND DAY.

Senate Chamber,
Austin, Texas,
Friday, August 15, 1913.

The Senate met pursuant to adjournment, and was called to order by Lieutenant Governor Will H. Mayes.

Roll call, a quorum being present, the following Senators answering to their names:

Astin.	Lattimore.
Bailey of De Witt.	McGregor.
Bailey of Harris.	McNealus.
Brelsford.	Morrow.
Carter.	Nugent.
Clark.	Oliver.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Warren.
Gibson.	Watson.
Greer.	Westbrook.
Harley.	Wiley.
Hudspeth.	Willacy.
Johnson.	

Absent—Excused.

Real.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with, on motion of Senator Carter.

EXCUSED.

On account of important business:
Senator Real for today and tomorrow,
on motion of Senator Cowell.
Morning call concluded.

SIMPLE RESOLUTION.

(By Unanimous Consent.)

By Senator Collins:

I move that the Senate allow the per diem of the Senator from Cass from the day he arrived in Austin, August 6, 1913, and offered to be sworn in, and that the Clerk be instructed to issue his voucher accordingly.

Senator Brelsford offered the following amendment:

"Provided, that contestant and contestee be paid \$200 each for attorney's fees and expenses to be paid out of contingent expense fund of Senate."

Senator Morrow offered the following amendment to the amendment:

Amend the amendment so as to strike out "\$200" and insert "\$100."

Pending discussion, Senator Wiley made the point of order on the consideration of this resolution, that the Senate had previously referred a like resolution to a committee and that the committee had reported adversely and the action should be on that committee report.

The Chair overruled the point of order, holding that this was a separate resolution.

Senator Watson offered the following substitute for the resolution, amendment and the amendment to the amendment:

Whereas, The Hon. Dr. A. C. Oliver has been forced to employ attorneys to represent him in the contest for a seat in this body, filed by Hon. C. A. Wheeler, at a cost of \$200, and has been forced to expend other sums of money in the proper defense of his right to same; and

Whereas, The sum of \$200 is a reasonable fee for the services of said attorneys; and

Whereas, Said A. C. Oliver presented to this body his certificate of election duly authenticated by the Secretary of State of Texas on the 6th day of August, 1913, and presented himself at the bar of the Senate and requested that he be administered the oath of office as Senator from the First Senatorial District of Texas; therefore, be it

Resolved by the Senate, That the Committee on Contingent Expenses be authorized and directed by the Senate to approve the account of Hon. A. C. Oliver for the sum of \$200 for attorney's fees incurred by him, and that the approved account of the chairman of said committee is, and shall be, authority for the Comptroller to issue his warrant therefor, and that the said A. C. Oliver be paid his per diem beginning August 6, 1913.

CLARK,
WATSON.

Senator Terrell offered the following amendment to the substitute:

Amend the resolution by adding the sum of \$200 for attorney's fees for Hon. C. A. Wheeler.

Senator Wiley moved that all the pending matter be referred to the Committee on Contingent Expenses.

Senator Watson moved to table the motion to refer to a committee, which motion to table was lost by the following vote:

Yeas—8.

Bailey of De Witt.	Harley.
Bailey of Harris.	Hudspeth.
Brelsford.	McGregor.
Clark.	Watson.

TEXAS
LIBRARY AND HISTORICAL COMMISSION
AUSTIN

Nays—16.

Carter.	McNealus.
Collins.	Nugent.
Conner.	Taylor.
Cowell.	Terrell.
Darwin.	Townsend.
Gibson.	Warren.
Greer.	Westbrook.
Lattimore.	Wiley.

Present—Not Voting.

Astin.	Oliver.
Morrow.	

Absent.

Johnson.	Willacy.
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Absent—Excused.

Real.

The motion to refer the pending resolutions to the committee was then adopted.

Senator McGregor moved to reconsider the vote by which the motion to refer the resolution was adopted.

Senator Taylor moved to table the motion to reconsider, which motion was adopted by the following vote:

Yeas—16.

Bailey of Harris.	McNealus.
Carter.	Nugent.
Collins.	Taylor.
Cowell.	Terrell.
Darwin.	Townsend.
Gibson.	Warren.
Greer.	Westbrook.
Hudspeth.	Wiley.

Nays—7.

Astin.	Harley.
Brelsford.	McGregor.
Clark.	Watson.
Conner.	

Present—Not Voting.

Bailey of De Witt.	Morrow.
Lattimore.	Oliver.

Absent.

Johnson.	Willacy.
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Absent—Excused.

Real.

HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, August 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: I am directed by the House to

inform the Senate that the House has passed the following bills:

Senate bill No. 12, A bill to be entitled "An Act to amend Chapter 132 of the Acts of the Thirty-third Legislature, entitled 'An Act to provide for indeterminate sentences of persons convicted of certain crimes; for the determination of such sentences and the release of such persons on parole; providing for exemption from the operations of the law in certain cases, and repealing all laws in conflict herewith, and declaring an emergency.'"

House bill No. 39, A bill to be entitled "An Act to prohibit the use of any imitation label, trade mark, design, device, imprint or form of the flag of the State of Texas for advertising or commercial purposes, and prohibiting the offering or exposing for sale any article or commodity bearing such imitation, design, imprint or form of the flag of the State of Texas, fixing a penalty for violation thereof, and declaring an emergency."

House bill No. 56, A bill to be entitled "An Act creating the Port Aransas Independent School District, known as Common School District No. 8, in Nueces county, Texas, and including within its limits the municipal corporation of the town of Port Aransas; and defining its boundaries; and to provide for the creating of a board of trustees thereof and authorizing the board of trustees to levy, assess and collect special taxes, and conferring upon the board of trustees plenary powers, and providing authority to issue bonds for the purpose of purchasing school sites and erecting, furnishing and equipping school buildings within the same, and to levy a tax therefor, and to pay current expenses for the maintenance and support of said schools, providing for a board of equalization and prescribing the duty and authority of said board, and further prescribing the duty and authority of the board of trustees, declaring valid an issue of bonds heretofore made, declaring valid a maintenance tax heretofore voted, and repealing all laws in conflict herewith, in so far as they conflict with this act, and declaring an emergency."

House bill No. 72, A bill to be entitled "An Act to amend and re-enact Article 5585 and Article 5588, Title 83, Chapter 3 of the Revised Civil Statutes of Texas, relating to seawalls and breakwaters, and declaring an emergency."

House bill No. 75, A bill to be entitled "An Act creating the Copita Independent School District in Duval county, Texas; defining its metes and bounds;

vesting it with the rights, powers, duties and privileges of districts incorporated for school purposes only under the general law; providing for a board of trustees therefor, and declaring an emergency."

House bill No. 81. A bill to be entitled "An Act to repeal Chapter 121, Special Laws of the Regular Session of the Thirty-third Legislature, the same being a special road law for Liberty county, and declaring an emergency."

House bill No. 62. A bill to be entitled "An Act to change and prescribe the time for holding district court in the Forty-ninth Judicial District of Texas, and to repeal all laws in conflict herewith, and declaring an emergency."

Respectfully,

W. R. LONG.

Chief Clerk, House of Representatives.

HOUSE BILLS ON FIRST READING.

The Chair (Lieutenant Governor Mayes) referred, after their captions had been read, the following House bills:

House bill No. 39, referred to Judiciary Committee No. 2.

House bill No. 56, referred to Committee on Public Education.

House bill No. 72, referred to Committee on Internal Improvements.

House bill No. 75, reported to Committee on Educational Affairs.

House bill No. 81, referred to Committee on Roads, Bridges and Ferries.

House bill No. 62, referred to Committee on Judicial Districts.

(President Pro Tem. Carter in the chair.)

SIMPLE RESOLUTION.

(By Unanimous Consent.)

By Senator Townsend:

I move that the Free Conference Committee on House bill No. 2 on the part of the Senate be and it is hereby urged to retain the item of \$25,000, or so much thereof as may be necessary, for the enforcement of the liquor laws for the next two years under the Comptroller's Department as specified in the House bill covering such matter, and that if any action is taken thereon, that such action be rescinded, if possible.

Senator Willacy moved to table the resolution, which motion was lost by the following vote:

Yeas—10.

Bailey of De Witt.	McGregor.
Bailey of Harris.	Nugent.
Clark.	Oliver.
Harley.	Watson.
Hudspeth.	Willacy.

Nays—13.

Brelsford.	McNealus.
Carter.	Morrow.
Conner.	Taylor.
Darwin.	Terrell.
Gibson.	Townsend.
Greer.	Westbrook.
Lattimore.	

Present—Not Voting.

Collins.	Warren.
Cowell.	Wiley.

Absent—Excused.

Real.

PAIRED.

Senator Astin (present), who would vote "yea," with Senator Johnson (absent), who would vote "nay."

REASONS FOR VOTE.

I vote "yea" to table the resolution and "nay" on the resolution by the Senator from Angelina for the reason that the members of the Free Conference Committee on the part of the Senate have fully investigated the question as to the amount of money necessary to be expended in the enforcement of the liquor laws of the State, and have decided that \$15,000 for two years is enough. While I am strictly in favor of enforcing the liquor laws, I am in favor of standing by the acts of our Senate committee, who have acted upon full investigation and information.

NUGENT.

The resolution was read and adopted by the following vote:

Yeas—12.

Brelsford.	McNealus.
Carter.	Taylor.
Darwin.	Terrell.
Gibson.	Townsend.
Greer.	Warren.
Lattimore.	Westbrook.

Nays—10.

Bailey of De Witt.	Conner.
Bailey of Harris.	Harley.
Clark.	Hudspeth.

McGregor.
Nugent.

Oliver.
Willacy.

Present—Not Voting.

Collins.
Cowell.

Wiley.

Absent—Excused.

Real

PAIRED.

Senator Astin (present), who would vote "nay," with Senator Johnson (absent), who would vote "yea."

Senator Watson (present), who would vote "nay," with Senator Morrow (absent), who would vote "yea."

Senator Townsend moved to reconsider the vote by which the resolution was adopted and lay the motion on the table.

The motion to table was adopted.

SIMPLE RESOLUTION.

(By Unanimous Consent.)

By Senator Watson:

Be it resolved, That the Committee on Contingent Expenses be requested to report on the resolution and amendments to pay the expenses, attorney's fees, etc., in the contest for a seat from the First Senatorial District not later than 2:30 p. m. on this date.

The resolution was read and adopted.

BILLS AND RESOLUTIONS.

(By Unanimous Consent.)

By Senator Hudspeth:

Senate bill No. 48, A bill to be entitled "An Act to amend Section 2, Chapter 67, Local and Special Laws of the Acts of the Thirty-second Legislature of the State of Texas, creating a special road law for Mason county, Texas, so as to provide that hands employed to work on the public roads shall be paid not more than \$1.50 per day, and that not more than \$3 per day shall be paid for a team and driver, and further so as to provide that the superintendent of roads and bridges shall have charge of all public roads and bridges and supervise all work done thereon, but that the county commissioners shall inspect the roads within their respective precincts once each month, and shall receive as compensation therefor \$3 per day for the time actually employed in the discharge of such duty, provided

that no commissioner shall receive pay for more than three days in any one month, and providing for an emergency."

Read first time and referred to Committee on Roads, Bridges and Ferries.

By Senator McNealus (by request):

Senate bill No. 49, A bill to be entitled "An Act amending Chapters 104 and 106 of the General Laws of the Regular Session of the Thirty-third Legislature, so as to permit the use of the co-insurance clause in policies of insurance at the option of the assured or property owner, and declaring an emergency."

Read first time and referred to Committee on Insurance, Statistics and History.

SENATE BILL NO. 25.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

Senate bill No. 25, A bill to be entitled "An Act to authorize the Governor, Attorney General and Land Commissioner to lease the water rights in the Guadalupe river in De Witt county upon such terms and for such consideration as they may prescribe, and providing priority of interest in leasing and also providing means of adjusting damage for the destruction of dams or property now owned by certain persons, and providing for the number of dams to be erected by any person, firm or corporation; the manner of measuring water and further providing for the manner of distributing power and regulating the sale of same, and also regulating the terms under which a sale of leasehold may be made, and fixing the rights of purchasers of said leaseholds, and declaring an emergency."

The committee report, which provided that the bill be not printed, was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Bailey of De Witt, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—23.

Astin.

Bailey of DeWitt.

Bailey of Harris.

Carter.

Clark.

Collins.

Conner.

Cowell.

Darwin.

Greer.

Harley.

Hudspeth.

Lattimore.	Townsend.
McGregor.	Watson.
Nugent.	Westbrook.
Oliver.	Wiley.
Taylor.	Willacy.
Terrell.	

Absent.

Brelsford.	McNealus.
Gibson.	Morrow.
Johnson.	Warren.

Absent—Excused.

Real.

The bill was read third time and passed by the following vote:

Yeas—23.

Astin.	Hudspeth.
Bailey of De Witt.	Lattimore.
Bailey of Harris.	McGregor.
Carter.	Oliver.
Clark.	Taylor.
Collins.	Terrell.
Conner.	Townsend.
Cowell.	Watson.
Darwin.	Westbrook.
Gibson.	Wiley.
Greer.	Willacy.
Harley.	

Absent.

Brelsford.	Morrow.
Johnson.	Nugent.
McNealus.	Warren.

Absent—Excused.

Real.

Senator Bailey of Dewitt moved to reconsider the vote by which the bill was passed and lay that motion on the table. The motion to table prevailed.

RECESS.

On motion of Senator Westbrook, the Senate, at 12 o'clock m., recessed until 2:30 o'clock today.

AFTER RECESS.

(Afternoon Session.)

The Senate was called to order by Lieutenant Governor Mayes.

SENATE BILL NO. 16.

(Pending Business.)

Action recurred on the pending business, Senate bill No. 16, the question being on the pending amendment by

Senator Lattimore (see Journal of yesterday for amendment) and the amendment was adopted.

Senator Bailey of Harris made the following motion in writing, which was read and adopted:

I move to rescind the action of the Senate of yesterday by which the amendment of the Senator from Jefferson proposing to amend Section 6 of the printed bill so as to provide that timber lands shall be improved, subdivided and sold within a period of fifteen years instead of twenty-four years, was tabled.

Action recurred on the amendment by Senator Collins, and the same was adopted.

Senator Bailey of Harris made the following motion in writing:

I move to rescind the action of the Senate of yesterday by which the amendment of the Senator from Angelina proposing to amend the printed bill by adding after Section 15 of the bill so as to provide that no corporation which has violated Article 1176 of the Revised Civil Statutes of the State of Texas, which has acquired by lease, purchase or otherwise, more land than is necessary to enable them to carry on their business and have not alienated their lands within fifteen years, as required by said statute, shall come under the provisions of this act, was tabled.

Senator Clark moved to table the above motion, which motion was lost.

The motion by Senator Bailey of Harris was adopted.

Action recurred on the amendment referred to in the above motion, and the same was adopted.

Senator Astin offered the following amendment, which was read and adopted:

Amend the bill on page 6, line 19, by striking out all after the word "insurance," in said line, and all of line 20.

Senator McNealus offered the following amendment:

Amend the bill, page 2, by striking out all of the bill following line 5, including all of pages 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14.

Senator Bailey of Harris moved to table the amendment, and

Senator Hudspeth moved the previous question on the amendment and the bill, which motion being duly seconded was so ordered.

Action recurred on the motion to table the amendment, and the same was adopted by the following vote:

Yeas—19.

Bailey of De Witt.	Brelsford.
Bailey of Harris.	Carter.

Collins.	McGregor.
Cowell.	Morrow.
Darwin.	Nugent.
Gibson.	Taylor.
Greer.	Terrell.
Harley.	Warren.
Hudspeth.	Watson.
Lattimore.	

Nays—7.

Astin.	Townsend.
Clark.	Westbrook.
Conner.	Wiley.
McNealus.	

Absent.

Johnson.	Willacy.
Oliver.	

Absent—Excused.

Real.

Action recurred on the engrossment of the bill, and

Senator Townsend made the point of order that the committee report had not been adopted and in that the report was a "floor" should be acted on.

The Chair overruled the point of order.

The bill, having been read, was passed to engrossment by the following vote:

Yeas—17.

Astin.	Hudspeth.
Bailey of De Witt.	Lattimore.
Bailey of Harris.	McGregor.
Brelsford.	Morrow.
Carter.	Nugent.
Collins.	Terrell.
Cowell.	Warren.
Greer.	Watson.
Harley.	

Nays—8.

Clark.	Taylor.
Conner.	Townsend.
Darwin.	Westbrook.
McNealus.	Wiley.

Present—Not Voting.

Gibson.

Absent.

Johnson.	Willacy.
Oliver.	

Absent—Excused.

Real.

On motion of Senator Bailey of Harris, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Astin.	Bailey of Harris.
Bailey of DeWitt.	Brelsford.

Carter.	McGregor.
Collins.	McNealus.
Conner.	Morrow.
Cowell.	Nugent.
Darwin.	Taylor.
Gibson.	Terrell.
Greer.	Warren.
Harley.	Watson.
Hudspeth.	Westbrook.
Lattimore.	Wiley.

Nays—2.

Clark.	Townsend.
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Absent.

Johnson.	Willacy.
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Oliver.

Absent—Excused.

Real.

The bill was read third time and passed by the following vote:

Yeas—16.

Astin.	Harley.
Bailey of De Witt.	Hudspeth.
Bailey of Harris.	McGregor.
Brelsford.	Morrow.
Carter.	Nugent.
Collins.	Terrell.
Cowell.	Warren.
Greer.	Watson.

Nays—9.

Clark.	Taylor.
Conner.	Townsend.
Darwin.	Westbrook.
Lattimore.	Wiley.
McNealus.	

Present—Not Voting.

Gibson.

Absent.

Johnson.	Willacy.
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Oliver.

Absent—Excused.

Real.

Senator Bailey of Harris moved to reconsider the vote by which the bill was passed and lay that motion on the table. The motion to table prevailed.

HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, August 15, 1913.

Hon. Will H. Mayes, President of the
Senate.

Sir: I am directed by the House to

inform the Senate that the House does not concur in Senate amendments to House bill No. 24 and requests the appointment of a Free Conference Committee. The following members on the part of the House have been appointed: Messrs. Wortham, Hill, Kirby, Goodner, and Woods of Navarro.

Respectfully,

W. R. LONG.

Chief Clerk House of Representatives.

HOUSE BILL NO. 24—FREE CONFERENCE COMMITTEE ON.

Senator Willacy made the following motion:

I move that the request of the House for a Free Conference Committee on House bill No. 24 be granted and that the following committee be appointed on the part of the Senate: Senators McGregor, Wiley, Brelsford, Taylor, Bailey of DeWitt.

The above motion was read and adopted.

BILLS AND RESOLUTIONS.

(By Unanimous Consent.)

By Senator Gibson (by request):

Senate bill No. 50, A bill to be entitled "An Act repealing Chapter 105 of the General Laws of the Regular Session of the Thirty-third Legislature."

Read first time and referred to Committee on Insurance, Statistics and History.

SENATE BILL NO. 28.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

Senate bill No. 28, A bill to be entitled "An Act to amend Chapter 41, Acts of the Twenty-ninth Legislature, as amended by the Thirtieth Legislature, being an act to create a more efficient road system for Dallas county, and declaring an emergency."

The committee report, which provided that the bill be not printed, was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator McNealus, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—27.

Astin.	Lattimore.
Bailey of De Witt.	McGregor.
Bailey of Harris.	McNealus.
Brelsford.	Morrow.
Carter.	Nugent.
Clark.	Taylor.
Collins.	Terrell.
Conner.	Townsend.
Cowell.	Warren.
Darwin.	Watson.
Gibson.	Westbrook.
Greer.	Wiley.
Harley.	Willacy.
Hudspeth.	

Absent.

Johnson. Oliver.

Absent—Excused.

Real

The bill was read third time and passed by the following vote:

Yeas—27.

Astin.	Lattimore.
Bailey of DeWitt.	McGregor.
Bailey of Harris.	McNealus.
Brelsford.	Morrow.
Carter.	Nugent.
Clark.	Taylor.
Collins.	Terrell.
Conner.	Townsend.
Cowell.	Warren.
Darwin.	Watson.
Gibson.	Westbrook.
Greer.	Wiley.
Harley.	Willacy.
Hudspeth.	

Absent.

Johnson. Oliver.

Absent—Excused.

Real.

Senator McNealus moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 33.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

Senate bill No. 33, A bill to be entitled "An Act to authorize and empower San Patricio county or any political subdivision or any defined district now or hereafter to be described and defined, of said county by a vote of a two-thirds

majority of the resident property taxpayers, qualified voters of such county or political subdivision, or any defined district now or hereafter to be described and defined, thereof, voting thereon to issue bonds to any amount not exceeding one-fourth of the assessed valuation of the real property of such county or of such political subdivision or any defined district now or hereafter to be described and defined, and to levy and collect taxes to pay the interest on such bonds and to provide a sinking fund for the redemption thereof, for the purpose of constructing, maintaining, and operating macadamized, gravelled or paved roads, and declaring an emergency."

The committee report, which provided that the bill be not printed, was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Willacy, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—28.

Astin.	Lattimore.
Bailey of De Witt.	McGregor.
Bailey of Harris.	McNealus.
Brelsford.	Morrow.
Carter.	Nugent.
Clark.	Oliver.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Warren.
Gibson.	Watson.
Greer.	Westbrook.
Harley.	Wiley.
Hudspeth.	Willacy.

Absent.

Johnson.

Absent—Excused.

Real.

The bill was read third time and passed by the following vote:

Yeas—28.

Astin.	Lattimore.
Bailey of De Witt.	McGregor.
Bailey of Harris.	McNealus.
Brelsford.	Morrow.
Carter.	Nugent.
Clark.	Oliver.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Warren.
Gibson.	Watson.
Greer.	Westbrook.
Harley.	Wiley.
Hudspeth.	Willacy.

Absent.

Johnson.

Absent—Excused.

Real.

Senator Willacy moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

EXECUTIVE MESSAGE.

Governor's Office,
Austin, Texas, August 15, 1913.

To the Texas Legislature:

In harmony with the proclamation of the Governor convening the First Called Session of the Thirty-third Legislature, and as provided by Section 40, of Article 4, of the Constitution, I present the following subject for legislation:

The passage of a bill to be entitled "An Act conferring additional authority upon the Prison Commission of the State and the Governor of the State relative to the issuance of bonds under the provisions of Chapter 57, Acts of the Regular Session of the Thirty-third Legislature, known as Penitentiary Improvement Bonds, and authorizing said Commission, with the approval of the Governor, to issue said bonds, in their discretion, as serial bonds, making the same payable at any time as may be determined, provided the time of payment shall not exceed that specified in the act authorizing the issuance of the bonds; conferring upon the Commission authority to execute the bonds with or without the ten year option of payment; and conferring upon the Commission, with the approval of the Governor, authority to execute said bonds so that any holder or purchaser thereof may have the option of making said bonds registered bonds instead of coupon bonds, and authorizing their transfer only on the books of the State Treasurer; authorizing and requiring the Governor to endorse on the bonds that the faith and credit of the State is pledged to the payment of the bonds and interest thereon, and that the State guarantees the payment of the same; providing that the law shall not be construed to repeal any law heretofore passed by the Legislature, but that this law shall be cumulative thereof, and declaring an emergency."

In a former list of subjects presented for your consideration was included the proposition that the Legislature authorize the State to endorse upon the Penitentiary Improvement Bonds already

provided for by an act of the Regular Session of the present Legislature, that the State guarantees the payment of the principal and interest of same. We have several enquiries for these bonds which are authorized to be issued in coupon form. Bidders are making offers on the basis of a ten year bond, and express preference either for registered or serial bonds.

After fully advising with the Attorney General and further considering the matter, I deem it expedient to submit this question in the form as above presented so that the Legislature can authorize the issuance and sale of the bonds provided for by the act of the Regular Session either in coupon, serial or registered form.

I am glad to be able to report to the Legislature that the bonds, since the ruling of the Attorney General, seem to be in demand by the bond purchasing public. I wish to say further, as an answer to inquiries of members of the Legislature, that it is not the desire of the Governor of this State to sell these bonds to the school fund; that with the changes in the law as provided in the foregoing subject as presented, it is believed these bonds can be promptly and advantageously disposed of without presenting them for purchase by the State Board of Education at all. As a matter of fact, it would take the school fund a year and a half to absorb these bonds. When I became Governor the policy was adopted by the State Board of Education of purchasing school house bonds, giving preference to them over others, in order that small issues of school house bonds might have a ready market and sale, and be of material assistance, in this way, in the prompt construction of commodious and substantial school houses throughout the State.

With the assurance that it is not the purpose nor desire to sell these bonds to the State school fund, I solicit the prompt co-operation of the Legislature in the passage of an act in line with the subject herein presented.

Respectfully submitted,
O. B. COLQUITT,
Governor of Texas.

CONSIDERATION OF LOCAL BILLS.

Senator McGregor moved that the Senate proceed to the consideration of local bills until all local bills on the calendar had been passed, which motion was adopted.

SENATE BILL NO. 34.

The Chair laid before the Senate, on second reading,

Senate bill No. 34. A bill to be entitled "An Act to create and establish the county of Lott, in honor of Uriah Lott, taken from the existing territory of Duval county, prescribing its area and boundaries, providing that all laws and parts of laws in conflict herewith shall have no application, and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Willacy, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—21.

Astin.	Morrow.
Brelsford.	Nugent.
Carter.	Taylor.
Collins.	Terrell.
Conner.	Townsend.
Cowell.	Warren.
Greer.	Watson.
Harley.	Westbrook.
Hudspeth.	Wiley.
McGregor.	Willacy.
McNealus.	

Absent.

Bailey of DeWitt.	Gibson.
Bailey of Harris.	Johnson.
Clark.	Lattimore.
Darwin.	Oliver.

Absent—Excused.

Real.

The bill was read third time and passed by the following vote:

Yeas—22.

Astin.	Morrow.
Bailey of De Witt.	Nugent.
Brelsford.	Oliver.
Carter.	Taylor.
Collins.	Terrell.
Cowell.	Townsend.
Greer.	Warren.
Harley.	Watson.
Lattimore.	Westbrook.
McGregor.	Wiley.
McNealus.	Willacy.

Absent.

Bailey of Harris.	Gibson.
Clark.	Hudspeth.
Conner.	Johnson.
Darwin.	

Real. Absent—Excused.

Senator Willacy moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 35.

The Chair laid before the Senate, on second reading,

Senate bill No. 35, A bill to be entitled "An Act appropriating the sum of five thousand dollars, or so much thereof as may be necessary, to pay the contingent expenses of the First Called Session of the Thirty-third Legislature, and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Willacy, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—25.

Astin.	McGregor.
Bailey of De Witt.	McNealus.
Brelsford.	Morrow.
Carter.	Nugent.
Clark.	Oliver.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Warren.
Gibson.	Watson.
Greer.	Westbrook.
Harley.	Willacy.
Lattimore.	

Absent.

Bailey of Harris.	Johnson.
Hudspeth.	Wiley.

Absent—Excused.

Real.

The bill was read third time, and passed by the following vote:

Yeas—24.

Astin.	McGregor.
Bailey of De Witt.	McNealus.
Bailey of Harris.	Morrow.
Brelsford.	Nugent.
Carter.	Oliver.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Warren.
Greer.	Watson.
Harley.	Westbrook.
Lattimore.	Willacy.

Absent.

Clark.	Johnson.
Gibson.	Wiley.
Hudspeth.	

Absent—Excused.

Real.

Senator Willacy moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 22.

The Chair laid before the Senate, on second reading,

Senate bill No. 22, A bill to be entitled "An Act to create a more efficient road system for Hall county, Texas, and making the commissioners court of said county ex-officio road commissioners in their respective precincts, making this act cumulative, and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Nugent, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—27.

Astin.	McGregor.
Bailey of De Witt.	McNealus.
Bailey of Harris.	Morrow.
Brelsford.	Nugent.
Carter.	Oliver.
Clark.	Taylor.
Collins.	Terrell.
Conner.	Townsend.
Cowell.	Warren.
Darwin.	Watson.
Gibson.	Westbrook.
Greer.	Wiley.
Harley.	Willacy.
Lattimore.	

Absent.

Hudspeth.	Johnson.
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Absent—Excused.

Real.

The bill was read third time and passed by the following vote:

Yeas—27.

Astin.	Brelsford.
Bailey of De Witt.	Carter.
Bailey of Harris.	Clark.

Collins.	Nugent.
Conner.	Oliver.
Cowell.	Taylor.
Darwin.	Terrell.
Gibson.	Townsend.
Greer.	Warren.
Harley.	Watson.
Lattimore.	Westbrook.
McGregor.	Wiley.
McNealus.	Willacy.
Morrow.	

Absent.

Hudspeth. Johnson.

Absent—Excused.

Real.

Senator Nugent moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 29.

The Chair laid before the Senate, on second reading,

Senate bill No. 29, A bill to be entitled "An Act to prohibit the creation of deficiencies or debts in the name of the State by regents, directors, officers or members of governing boards of any of the educational or eleemosynary institutions of the State of Texas; to prohibit the making of any contract or the creating of any debt inconsistent with existing laws, making invalid all such contracts and debts, prohibiting the diverting of funds, providing for penalties for violations of this act, repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The committee report was adopted.

Senator Nugent offered the following amendment, which was read and adopted:

Amend the bill, page 345 of the Journal, by inserting after the word "improvement," in Section 1, the words, "or purchase of."

The bill was read second time and passed to engrossment.

On motion of Senator Nugent, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—22.

Astin.	Cowell.
Bailey of De Witt.	Darwin.
Bailey of Harris.	Gibson.
Brelsford.	Greer.
Carter.	Harley.
Conner.	Lattimore.

McGregor.	Terrell.
Morrow.	Townsend.
Nugent.	Warren.
Oliver.	Westbrook.
Taylor.	Willacy.

Absent.

Clark.	McNealus.
Collins.	Watson.
Hudspeth.	Wiley.
Johnson.	

Absent—Excused.

Real.

The bill was read third time and passed by the following vote:

Yeas—22.

Astin.	Lattimore.
Bailey of DeWitt.	McGregor.
Bailey of Harris.	Morrow.
Brelsford.	Nugent.
Carter.	Oliver.
Conner.	Taylor.
Cowell.	Terrell.
Darwin.	Townsend.
Gibson.	Warren.
Greer.	Westbrook.
Harley.	Willacy.

Absent.

Clark.	McNealus.
Collins.	Watson.
Hudspeth.	Wiley.
Johnson.	

Absent—Excused.

Real.

Senator Nugent moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 45.

The Chair laid before the Senate, on second reading,

Senate bill No. 45, A bill to be entitled "An Act creating the Files Valley Orphans' Home Independent School District; providing for the appointment of trustees of said district; defining the boundaries, and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Morrow, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Astin.	Lattimore.
Bailey of DeWitt.	McGregor.
Bailey of Harris.	Morrow.
Brelsford.	Nugent.
Carter.	Oliver.
Clark.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Warren.
Gibson.	Watson.
Greer.	Westbrook.
Harley.	Willacy.

Absent.

Collins.	McNealus.
Hudspeth.	Wiley.
Johnson.	

Absent—Excused.

Real

The bill was read third time and passed by the following vote:

Yeas—23.

Astin.	Lattimore.
Bailey of DeWitt.	McGregor.
Bailey of Harris.	Morrow.
Brelsford.	Nugent.
Carter.	Oliver.
Clark.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Warren.
Gibson.	Westbrook.
Greer.	Willacy.
Harley.	

Absent.

Collins.	McNealus.
Hudspeth.	Watson.
Johnson.	Wiley.

Absent—Excused.

Real.

Senator Morrow moved to reconsider the vote by which the will was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 60.

The Chair laid before the Senate, on second reading,

House bill No. 60, A bill to be entitled "An Act to amend Sections 26 and 53 of Article 30 of Title 5 of the Revised Statutes of Texas, 1911, and to change and prescribe the time for holding the district court in the Twenty-sixth Judicial District of the State of Texas, and the Fifty-third Judicial District of the

State of Texas, and to define the jurisdiction of said courts, and to provide for the venue and transfer of causes in the Twenty-sixth and Fifty-third District Courts, and to provide for a clerk of the district court of the Twenty-sixth and Fifty-third Judicial District Courts in and for Travis county, and to conform all writs, process, bonds, recognizances and drawing of petit and grand juries of such courts to the changes made, and providing for the drawing of grand juries in the Twenty-sixth and Fifty-third Judicial Districts, and to repeal all laws in conflict herewith, and declaring an emergency."

On motion of Senator McGregor, the Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill (see Appendix for committee report).

The committee report, which provided that the bill be not printed, was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator McGregor, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—25.

Astin.	Hudspeth.
Bailey of De Witt.	Lattimore.
Bailey of Harris.	McGregor.
Brelsford.	Morrow.
Carter.	Nugent.
Clark.	Oliver.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Warren.
Gibson.	Westbrook.
Greer.	Willacy.
Harley.	

Absent.

Johnson.	Watson.
McNealus.	Wiley.

Absent—Excused.

Real

The bill was read third time and passed by the following vote:

Yeas—28.

Astin.	Conner.
Bailey of DeWitt.	Cowell.
Bailey of Harris.	Darwin.
Brelsford.	Gibson.
Carter.	Greer.
Clark.	Harley.
Collins.	Hudspeth.

Lattimore.	Terrell.
McGregor.	Townsend.
McNealus.	Warren.
Morrow.	Watson.
Nugent.	Westbrook.
Oliver.	Wiley.
Taylor.	Willacy.

Absent.

Johnson.

Absent—Excused.

Real.

Senator McGregor moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 48.

On motion of Senator Hudspeth, the constitutional rule requiring bills to be read on three several days was suspended and Senate bill No. 48 put on its second reading by the following vote:

Yeas—28.

Astin.	Lattimore.
Bailey of De Witt.	McGregor.
Bailey of Harris.	McNealus.
Brelsford.	Morrow.
Carter.	Nugent.
Clark.	Oliver.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Warren.
Gibson.	Watson.
Greer.	Westbrook.
Harley.	Wiley.
Hudspeth.	Willacy.

Absent.

Johnson.

Absent—Excused.

Real.

The Chair laid before the Senate, on second reading,

Senate bill No. 48, local road law for Mason county.

On motion of Senator Hudspeth, the Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill (see Appendix for committee report).

The committee report, which provided that the bill be not printed, was adopted.

The bill was read second time and passed on engrossment.

On motion of Senator Hudspeth, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third

reading and final passage by the following vote:

Yeas—28.

Astin.	Lattimore.
Bailey of De Witt.	McGregor.
Bailey of Harris.	McNealus.
Brelsford.	Morrow.
Carter.	Nugent.
Clark.	Oliver.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Warren.
Gibson.	Watson.
Greer.	Westbrook.
Harley.	Wiley.
Hudspeth.	Willacy.

Absent.

Johnson.

Absent—Excused.

Real.

The bill was read third time and passed by the following vote:

Yeas—28.

Astin.	Lattimore.
Bailey of De Witt.	McGregor.
Bailey of Harris.	McNealus.
Brelsford.	Morrow.
Carter.	Nugent.
Clark.	Oliver.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Warren.
Gibson.	Watson.
Greer.	Westbrook.
Harley.	Wiley.
Hudspeth.	Willacy.

Absent.

Johnson.

Absent—Excused.

Real.

Senator Hudspeth moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 33.

The Chair laid before the Senate, on second reading,

House bill No. 33, A bill to be entitled "An Act to reorganize the Thirty-fourth Judicial District of Texas, to regulate the time of holding the district courts in the various counties composing the Thirty-fourth Judicial District of Texas, providing for the returning of the process issued and to be issued by said

courts, validating process heretofore issued by said court, and declaring an emergency."

On motion of Senator Hudspeth, the Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill. (See Appendix for committee report.)

The committee report, which provided that the bill be not printed, was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Hudspeth, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—28.

Astin.	Lattimore.
Bailey of DeWitt.	McGregor.
Bailey of Harris.	McNealus.
Brelsford.	Morrow.
Carter.	Nugent.
Clark.	Oliver.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Warren.
Gibson.	Watson.
Greer.	Westbrook.
Harley.	Wiley.
Hudspeth.	Willacy.

Absent.

Johnson.

Absent—Excused.

Real.

The bill was read third time and passed by the following vote:

Yeas—28.

Astin.	Lattimore.
Bailey of De Witt.	McGregor.
Bailey of Harris.	McNealus.
Brelsford.	Morrow.
Carter.	Nugent.
Clark.	Oliver.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Warren.
Gibson.	Watson.
Greer.	Westbrook.
Harley.	Wiley.
Hudspeth.	Willacy.

Absent.

Johnson.

Absent—Excused.

Real.

Senator Hudspeth moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 43.

The Chair laid before the Senate, on second reading,

House bill No. 43, A bill to be entitled "An Act to fix the time for holding the terms of the district court in the Forty-seventh Judicial District, and to repeal all laws in conflict herewith, and declaring an emergency."

The Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill. (See Appendix for committee report.)

The committee report, which provided that the bill be not printed, was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Collins, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—28.

Astin.	Lattimore.
Bailey of DeWitt.	McGregor.
Bailey of Harris.	McNealus.
Brelsford.	Morrow.
Carter.	Nugent.
Clark.	Oliver.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Warren.
Gibson.	Watson.
Greer.	Westbrook.
Harley.	Wiley.
Hudspeth.	Willacy.

Absent.

Johnson.

Absent—Excused.

Real.

The bill was read third time and passed by the following vote:

Yeas—28.

Astin.	Cowell.
Bailey of De Witt.	Darwin.
Bailey of Harris.	Gibson.
Brelsford.	Greer.
Carter.	Harley.
Clark.	Hudspeth.
Collins.	Lattimore.
Conner.	McGregor.

McNealus.	Townsend.
Morrow.	Warren.
Nugent.	Watson.
Oliver.	Westbrook.
Taylor.	Wiley.
Terrell.	Willacy.

Absent.

Johnson.

Absent—Excused.

Real.

Senator Collins moved to reconsider the vote by which the bill was passed and lay that motion to the table.

The motion to table prevailed.

HOUSE BILL NO. 47.

The Chair laid before the Senate, on second reading,

House bill No. 47, A bill to be entitled "An Act to incorporate the Fruitvale Independent School District, in Van Zandt county, for free school purposes, and declaring an emergency."

On motion of Senator Greer, the Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill. (See Appendix for committee report.)

The committee report, which provided that the bill be not printed, was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Greer, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—28.

Astin.	Lattimore.
Bailey of DeWitt.	McGregor.
Bailey of Harris.	McNealus.
Brelsford.	Morrow.
Carter.	Nugent.
Clark.	Oliver.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Warren.
Gibson.	Watson.
Greer.	Westbrook.
Harley.	Wiley.
Hudspeth.	Willacy.

Absent.

Johnson.

Absent—Excused.

Real.

The bill was read third time and passed by the following vote:

23—S

Yeas—28.

Astin.	Lattimore.
Bailey of De Witt.	McGregor.
Bailey of Harris.	McNealus.
Brelsford.	Morrow.
Carter.	Nugent.
Clark.	Oliver.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Warren.
Gibson.	Watson.
Greer.	Westbrook.
Harley.	Wiley.
Hudspeth.	Willacy.

Absent.

Johnson.

Absent—Excused.

Real.

Senator Greer moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 50.

The Chair laid before the Senate, on second reading,

House bill No. 50, A bill to be entitled "An Act to create a special district court for the Fifth Judicial District of Texas, and declaring an emergency."

The Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill. (See Appendix for committee report.)

The committee report, which provided that the bill be not printed, was adopted.

Senators Darwin and Oliver offered the following amendments, separately, which were read and adopted:

1. Amend the caption by adding after the word "office" and before the words "and declaring an emergency," the following: "and making appropriation for payment of salary of the special judge."

2. Amend the bill, Section 9, paragraph 2, line 2, by striking out the word "second" and inserting in lieu thereof the word "first."

3. Amend the bill, Section 9, by striking out the words "twelve weeks" at the end of paragraph and inserting in lieu thereof the following: "until the first Monday in May."

4. Amend the bill, Section 9, paragraph 3, line 1, by striking out the word "second" before the word Monday, and inserting in lieu thereof the word "first."

5. Amend the bill, Section 9, by striking out the words "one week" at the end of paragraph 13, and insert in lieu thereof the words "two weeks."

6. Amend the bill by adding at the end of Section 10, the following: "and the sum of \$4400, or so much thereof as may be necessary, is hereby appropriated to pay the salary of the special judge herein provided for."

The bill was read second time and passed to a third reading.

On motion of Senator Darwin, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—28.

Astin.	Lattimore.
Bailey of De Witt.	McGregor.
Bailey of Harris.	McNealus.
Brelsford.	Morrow.
Carter.	Nugent.
Clark.	Oliver.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Warren.
Gibson.	Watson.
Greer.	Westbrook.
Harley.	Wiley.
Hudspeth.	Willacy.

Absent.

Johnson.

Absent—Excused.

Real.

The bill was read third time and passed by the following vote:

Yeas—25.

Astin.	McGregor.
Bailey of De Witt.	McNealus.
Bailey of Harris.	Morrow.
Brelsford.	Oliver.
Carter.	Taylor.
Clark.	Terrell.
Collins.	Townsend.
Conner.	Warren.
Cowell.	Watson.
Darwin.	Westbrook.
Greer.	Wiley.
Harley.	Willacy.
Lattimore.	

Absent.

Gibson.	Johnson.
Hudspeth.	Nugent.

Absent—Excused.

Real.

Senator Darwin moved to reconsider

the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 52.

The Chair laid before the Senate on second reading,

House bill No. 52, A bill to be entitled "An Act to amend the special road law for Smith county, Texas, passed at the Regular Session of the Thirty-third Legislature, and known as Chapter 70, Special Laws of the Thirty-third Legislature, and creating an emergency."

The Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill (see Appendix for committee report).

The committee report, which provided that the bill be not printed, was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Greer, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—28.

Astin.	Lattimore.
Bailey of De Witt.	McGregor.
Bailey of Harris.	McNealus.
Brelsford.	Morrow.
Carter.	Nugent.
Clark.	Oliver.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Warren.
Gibson.	Watson.
Greer.	Westbrook.
Harley.	Wiley.
Hudspeth.	Willacy.

Absent.

Johnson.

Absent—Excused.

Real.

The bill was read third time and passed by the following vote:

Yeas—28.

Astin.	Cowell.
Bailey of De Witt.	Darwin.
Bailey of Harris.	Gibson.
Brelsford.	Greer.
Carter.	Harley.
Clark.	Hudspeth.
Collins.	Lattimore.
Conner.	McGregor.

McNealus.	Townsend.
Morrow.	Warren.
Nugent.	Watson.
Oliver.	Westbrook.
Taylor.	Wiley.
Terrell.	Willacy.

Absent.

Johnson.

Absent—Excused.

Real.

Senator Greer moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 55.

The Chair laid before the Senate, on second reading,

House bill No. 55, A bill to be entitled "An Act to reorganize the Twenty-eighth Judicial District of the State of Texas; to fix the times for holding the terms of district court therein; to make all process heretofore issued as well as bonds and recognizances heretofore entered into conform thereto, and to repeal all laws and parts of laws in conflict therewith, and declaring an emergency."

The Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill (see Appendix for committee report).

The committee report, which provided that the bill be not printed, was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Willacy, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—28.

Astin.	Lattimore.
Bailey of De Witt.	McGregor.
Bailey of Harris.	McNealus.
Brelsford.	Morrow.
Carter.	Nugent.
Clark.	Oliver.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Warren.
Gibson.	Watson.
Greer.	Westbrook.
Harley.	Wiley.
Hudspeth.	Willacy.

Absent.

Johnson.

Absent—Excused.

Real.

The bill was read third time and passed by the following vote:

Yeas—28.

Astin.	Lattimore.
Bailey of De Witt.	McGregor.
Bailey of Harris.	McNealus.
Brelsford.	Morrow.
Carter.	Nugent.
Clark.	Oliver.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Warren.
Gibson.	Watson.
Greer.	Westbrook.
Harley.	Wiley.
Hudspeth.	Willacy.

Absent.

Johnson.

Absent—Excused.

Real.

Senator Willacy moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 58.

The Chair laid before the Senate, on second reading,

House bill No. 58, A bill to be entitled "An Act to amend Chapter 38 of the Special Laws of the Thirty-second Legislature, as amended by the Thirty-third Legislature, entitled 'An Act to create a more efficient road system for Wood county, etc.,' by making it unlawful to injure or damage any public road in said county; prescribing penalties, and declaring an emergency."

The Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill (see Appendix for committee report).

The committee report, which provided that the bill be not printed, was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Greer, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—28.

Astin.	Lattimore.
Bailey of De Witt.	McGregor.
Bailey of Harris.	McNealus.
Brelsford.	Morrow.
Carter.	Nugent.
Clark.	Oliver.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Warren.
Gibson.	Watson.
Greer.	Westbrook.
Harley.	Wiley.
Hudspeth.	Willacy.

Absent.

Johnson.

Absent—Excused.

Real.

The bill was read third time and passed by the following vote:

Yeas—28.

Astin.	Lattimore.
Bailey of De Witt.	McGregor.
Bailey of Harris.	McNealus.
Brelsford.	Morrow.
Carter.	Nugent.
Clark.	Oliver.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Warren.
Gibson.	Watson.
Greer.	Westbrook.
Harley.	Wiley.
Hudspeth.	Willacy.

Absent.

Johnson.

Absent—Excused.

Real.

Senator Greer moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 59.

The Chair laid before the Senate, on second reading,

House bill No. 59. A bill to be entitled "An Act to incorporate the Thorndale School District in Milam and Williamson counties, as an independent school district, and to provide for the election of trustees, raising revenue by taxation, and issuing bonds for the erection of school buildings within said district, and declaring an emergency."

The Senate rule requiring committee

reports to lie over for one day was suspended, for the purpose of considering this bill (see Appendix for committee report).

The committee report, which provided that the bill be not printed, was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Terrell, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—28.

Astin.	Lattimore.
Bailey of De Witt.	McGregor.
Bailey of Harris.	McNealus.
Brelsford.	Morrow.
Carter.	Nugent.
Clark.	Oliver.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Warren.
Gibson.	Watson.
Greer.	Westbrook.
Harley.	Wiley.
Hudspeth.	Willacy.

Absent.

Johnson.

Absent—Excused.

Real.

The bill was read a third time and passed by the following vote:

Yeas—28.

Astin.	Lattimore.
Bailey of De Witt.	McGregor.
Bailey of Harris.	McNealus.
Brelsford.	Morrow.
Carter.	Nugent.
Clark.	Oliver.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Warren.
Gibson.	Watson.
Greer.	Westbrook.
Harley.	Wiley.
Hudspeth.	Willacy.

Absent.

Johnson.

Absent—Excused.

Real.

Senator Terrell moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 62.

On motion of Senator Willacy, the constitutional rule requiring bills to be read on three several days was suspended and House bill No. 62 be put on its second reading, by the following vote:

Yeas—28.

Astin.	Lattimore.
Bailey of De Witt.	McGregor.
Bailey of Harris.	McNealus.
Brelsford.	Morrow.
Carter.	Nugent.
Clark.	Oliver.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Warren.
Gibson.	Watson.
Greer.	Westbrook.
Harley.	Wiley.
Hudspeth.	Willacy.

Absent.

Johnson.

Absent—Excused.

Real.

The Chair laid before the Senate, on second reading,

House bill No. 62, prescribing the time for holding court in the Forty-ninth Judicial District, and declaring an emergency.

The Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill (see Appendix for committee report).

The committee report which provided that the bill be not printed, was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Willacy, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—28.

Astin.	Lattimore.
Bailey of De Witt.	McGregor.
Bailey of Harris.	McNealus.
Brelsford.	Morrow.
Carter.	Nugent.
Clark.	Oliver.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Warren.
Gibson.	Watson.
Greer.	Westbrook.
Harley.	Wiley.
Hudspeth.	Willacy.

Absent.

Johnson.

Absent—Excused.

Real.

The bill was read a third time and passed by the following vote:

Yeas—28.

Astin.	Lattimore.
Bailey of De Witt.	McGregor.
Bailey of Harris.	McNealus.
Brelsford.	Morrow.
Carter.	Nugent.
Clark.	Oliver.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Warren.
Gibson.	Watson.
Greer.	Westbrook.
Harley.	Wiley.
Hudspeth.	Willacy.

Absent.

Johnson.

Absent—Excused.

Real.

Senator Willacy moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 81.

On motion of Senator Collins the constitutional rule requiring bills to be read on three several days was suspended and House bill No. 81 be put on its second reading by the following vote:

Yeas—28.

Astin.	Lattimore.
Bailey of De Witt.	McGregor.
Bailey of Harris.	McNealus.
Brelsford.	Morrow.
Carter.	Nugent.
Clark.	Oliver.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Warren.
Gibson.	Watson.
Greer.	Westbrook.
Harley.	Wiley.
Hudspeth.	Willacy.

Absent.

Johnson.

Absent—Excused.

Real.

The Chair laid before the Senate, on second reading,

House bill No. 81, local road law for Liberty county, and declaring an emergency.

The Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill (see Appendix for committee report).

The committee report, which provided that the bill be not printed, was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Collins, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—28.

Astin.	Lattimore.
Bailey of De Witt.	McGregor.
Bailey of Harris.	McNealus.
Brelsford.	Morrow.
Carter.	Nugent.
Clark.	Oliver.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Warren.
Gibson.	Watson.
Greer.	Westbrook.
Harley.	Wiley.
Hudspeth.	Willacy.

Absent.

Johnson.

Absent—Excused.

Real.

The bill was read third time and passed by the following vote:

Yeas—28.

Astin.	Lattimore.
Bailey of De Witt.	McGregor.
Bailey of Harris.	McNealus.
Brelsford.	Morrow.
Carter.	Nugent.
Clark.	Oliver.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Warren.
Gibson.	Watson.
Greer.	Westbrook.
Harley.	Wiley.
Hudspeth.	Willacy.

Absent.

Johnson.

Absent—Excused.

Real.

Senator Collins moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 72.

On motion of Senator Bailey of Harris, the constitutional rule requiring bills to be read on three several days was suspended and House bill No. 72 put on its second reading by the following vote:

Yeas—28.

Astin.	Lattimore.
Bailey of De Witt.	McGregor.
Bailey of Harris.	McNealus.
Brelsford.	Morrow.
Carter.	Nugent.
Clark.	Oliver.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Warren.
Gibson.	Watson.
Greer.	Westbrook.
Harley.	Wiley.
Hudspeth.	Willacy.

Absent.

Johnson.

Absent—Excused.

Real.

The Chair laid before the Senate, on second reading,

House bill No. 72, relating to seawalls and breakwaters.

The Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill (see Appendix for committee report).

The committee report, which provided that the bill be not printed, was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Bailey of Harris, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—28.

Astin.	Lattimore.
Bailey of De Witt.	McGregor.
Bailey of Harris.	McNealus.
Brelsford.	Morrow.
Carter.	Nugent.
Clark.	Oliver.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Warren.
Gibson.	Watson.
Greer.	Westbrook.
Harley.	Wiley.
Hudspeth.	Willacy.

Absent.
Johnson.
Absent—Excused.
Real.

The bill was read third time and passed by the following vote:

Yeas—28.

Astin.	Lattimore.
Bailey of De Witt.	McGregor.
Bailey of Harris.	McNealus.
Brelsford.	Morrow.
Carter.	Nugent.
Clark.	Oliver.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Warren.
Gibson.	Watson.
Greer.	Westbrook.
Harley.	Wiley.
Hudspeth.	Willacy.

Absent.
Johnson.
Absent—Excused.
Real.

Senator Bailey of Harris moved to reconsider the vote by which the bill was passed, and lay that motion on the table. The motion to table prevailed.

HOUSE BILL NO. 56.

On motion of Senator Terrell, the constitutional rule requiring bills to be read on three several days was suspended and House bill No. 56 put on its second reading by the following vote:

Yeas—28.

Astin.	Lattimore.
Bailey of De Witt.	McGregor.
Bailey of Harris.	McNealus.
Brelsford.	Morrow.
Carter.	Nugent.
Clark.	Oliver.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Warren.
Gibson.	Watson.
Greer.	Westbrook.
Harley.	Wiley.
Hudspeth.	Willacy.

Absent.
Johnson.
Absent—Excused.
Real.

The Chair laid before the Senate, on second reading,

House bill No. 56, creating the Port Aransas Independent School District, and declaring an emergency.

The Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill (see Appendix for committee report).

The committee report, which provided that the bill be not printed, was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Willacy, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—28.

Astin.	Lattimore.
Bailey of De Witt.	McGregor.
Bailey of Harris.	McNealus.
Brelsford.	Morrow.
Carter.	Nugent.
Clark.	Oliver.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Warren.
Gibson.	Watson.
Greer.	Westbrook.
Harley.	Wiley.
Hudspeth.	Willacy.

Absent.
Johnson.
Absent—Excused.
Real

The bill was read third time, and passed by the following vote:

Yeas—28.

Astin.	Lattimore.
Bailey of De Witt.	McGregor.
Bailey of Harris.	McNealus.
Brelsford.	Morrow.
Carter.	Nugent.
Clark.	Oliver.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Warren.
Gibson.	Watson.
Greer.	Westbrook.
Harley.	Wiley.
Hudspeth.	Willacy.

Absent.
Johnson.
Absent—Excused.
Real.

Senator Willacy moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 75.

On motion of Senator Willacy, the constitutional rule requiring bills to be read on three several days was suspended and House bill No. 75 put on its second reading, by the following vote:

Yeas—28.

Astin.	Lattimore.
Bailey of De Witt.	McGregor.
Bailey of Harris.	McNealus.
Brelsford.	Morrow.
Carter.	Nugent.
Clark.	Oliver.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Warren.
Gibson.	Watson.
Greer.	Westbrook.
Harley.	Wiley.
Hudspeth.	Willacy.

Absent.

Johnson.

Absent—Excused.

Real.

The Chair laid before the Senate, on second reading,

House bill No. 75, creating the Capital Independent School District, and declaring an emergency.

The Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill (see Appendix for committee report).

The committee report, which provided that the bill be not printed, was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Willacy, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—28.

Astin.	Cowell.
Bailey of De Witt.	Darwin.
Bailey of Harris.	Gibson.
Brelsford.	Greer.
Carter.	Harley.
Clark.	Hudspeth.
Collins.	Lattimore.
Conner.	McGregor.

McNealus.	Townsend.
Morrow.	Warren.
Nugent.	Watson.
Oliver.	Westbrook.
Taylor.	Wiley.
Terrell.	Willacy.

Absent.

Johnson.

Absent—Excused.

Real.

The bill was read third time and passed by the following vote:

Yeas—28.

Astin.	Lattimore.
Bailey of De Witt.	McGregor.
Bailey of Harris.	McNealus.
Brelsford.	Morrow.
Carter.	Nugent.
Clark.	Oliver.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Warren.
Gibson.	Watson.
Greer.	Westbrook.
Harley.	Wiley.
Hudspeth.	Willacy.

Absent.

Johnson.

Absent—Excused.

Real.

Senator Willacy moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE CONCURRENT RESOLUTION NO. 5.

The Chair laid before the Senate, on second reading,

Senate Concurrent Resolution No. 5, Providing for the raising of funds for the Panama-Pacific exposition.

The committee report was adopted.

The resolution was read second time and passed to engrossment.

On motion of Senator Willacy, the constitutional rule requiring bills to be read on three several days was suspended and the resolution put on its third reading and final passage by the following vote:

Yeas—28.

Astin.	Carter.
Bailey of De Witt.	Clark.
Bailey of Harris.	Collins.
Brelsford.	Conner.

Cowell.	Nugent.
Darwin.	Oliver.
Gibson.	Taylor.
Greer.	Terrell.
Harley.	Townsend.
Hudspeth.	Warren.
Lattimore.	Watson.
McGregor.	Westbrook.
McNealus.	Wiley.
Morrow.	Willacy.

Absent.

Johnson.

Absent—Excused.

Real.

The resolution was read third time and passed by the following vote:

Yeas—25.

Astin.	Hudspeth
Bailey of De Witt.	Lattimore.
Bailey of Harris.	McGregor.
Brelsford.	Morrow.
Carter.	Nugent.
Clark.	Oliver.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Watson.
Gibson.	Westbrook.
Greer.	Wiley.
Harley.	

Absent.

Johnson.

Warren.

McNealus.

Willacy.

Absent—Excused.

Real.

Senator Willacy moved to reconsider the vote by which the resolution was passed, and lay that motion on the table. The motion to table prevailed.

HOUSE BILL NO. 39.

(By Unanimous Consent.)

On motion of Senator Lattimore, the constitutional rule requiring bills to be read on three several days was suspended and House bill No. 39 put on its second reading by the following vote:

Yeas—25.

Brelsford.	Gibson.
Carter.	Greer.
Clark.	Harley.
Collins.	Hudspeth.
Conner.	Lattimore.
Cowell.	McGregor.
Darwin.	McNealus.

Morrow.	Warren.
Nugent.	Watson.
Oliver.	Westbrook.
Taylor.	Wiley.
Terrell.	Willacy.
Townsend.	

Absent.

Astin.

Bailey of Harris.

Bailey of De Witt.

Johnson.

Absent—Excused.

Real.

The Chair laid before the Senate, on second reading,

House bill No. 39, To prohibit the use of any imitation of the flag of the State of Texas for advertising purposes.

The Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill (see Appendix for committee report).

The committee report, which provided that the bill be not printed, was adopted.

Senator Lattimore offered the following amendments, separately, which were read and adopted:

1. Amend caption of House bill No. 39, by inserting after the word "thereof" in the next to the last line of said caption, the following: "repealing all laws in conflict herewith, fixing date when this bill shall go into effect."

2. Amend House bill No. 39, page 1, by adding two new sections to be known as Sections 2a and 2b.

"Sec. 2a. That because of the fact that there are large quantities of goods now in the hands of merchants and dealers bearing stamps and labels in violation of this act, therefore, this act shall go into effect and become operative on and after July 1, 1914.

"Sec. 2b. That House bill No. 27, passed at the Regular Session of the Thirty-third Legislature and all laws and parts of laws in conflict herewith be, and the same are hereby repealed."

And by striking out of Section 3 the words "and this act shall take effect and be in force from and after July 1, 1914."

Senator Westbrook offered the following amendment, which was read and adopted:

Amend the bill by adding after Section 1, Section 1a. as follows:

"Sec. 1a. Provided, that none of the provisions of this act shall apply to any fraternal organization using our flag for an emblem."

The bill was read second time and passed to a third reading.

On motion of Senator Lattimore, the constitutional rule requiring bills to be

read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—25.

Bailey of De Witt.	McGregor.
Bailey of Harris.	McNealus.
Brelsford.	Morrow.
Carter.	Nugent.
Collins.	Oliver.
Conner.	Taylor.
Cowell.	Townsend.
Darwin.	Warren.
Gibson.	Watson.
Greer.	Westbrook.
Harley.	Wiley.
Hudspeth.	Willacy.
Lattimore.	

Absent.

Astin.	Johnson.
Clark.	Terrell.

Absent—Excused.

Real.

The bill was read third time and passed by the following vote:

Yeas—23.

Bailey of De Witt.	McNealus.
Bailey of Harris.	Morrow.
Brelsford.	Nugent.
Carter.	Oliver.
Collins.	Taylor.
Conner.	Townsend.
Cowell.	Warren.
Darwin.	Watson.
Gibson.	Westbrook.
Greer.	Wiley.
Lattimore.	Willacy.
McGregor.	

Absent.

Astin.	Hudspeth.
Clark.	Johnson.
Harley.	Terrell.

Absent—Excused.

Real.

Senator Lattimore moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 13—ADOPTION OF FREE CONFERENCE COM- MITTEE REPORT.

Austin, Texas, August 15, 1913.

Hon. Will H. Mayes, President of the Senate, and Hon. Chester H. Terrell, Speaker of the House of Representatives.

Sirs: We, your Free Conference Com-

mittee, beg leave to report that we have had under consideration House bill No. 13, with the amendments thereto, and that in order to reconcile the differences between the Senate and the House, beg leave to report the following bill:

A bill to be entitled "An Act to amend Section 4, Chapter 150, of the laws enacted by the Thirty-third Legislature, Regular Session, entitled 'An Act to require applications under oath to be made for witnesses in felony cases; to provide adequate penalties against district clerks or their deputies for unlawfully issuing subpoenas in felony cases; to define the duties of the district judge with reference to sheriffs' accounts, and to provide for fees of witnesses residing in the county of the prosecution in felony cases, repealing all laws and parts of laws in conflict herewith, and declaring an emergency,' and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. That Section 4 of Chapter 150 of the Acts of the Thirty-third Legislature, Regular Session, be amended so as to hereafter read as follows:

Section 4. All witnesses residing in the county of the prosecution, when summoned under the provisions of this act to appear and give evidence in any felony case, shall be entitled to one dollar per day for each day they may have been necessarily absent from their homes or business in attendance upon court, said fees to be paid by the State, and the Comptroller of Public Accounts is hereby authorized to draw a warrant against the State Treasury for same when the accounts are properly presented to him, approved by the presiding district judge, and when after inspection by him he finds said accounts to be correct; provided, that no witness fees shall be paid to peace officers, nor to any witness in habeas corpus cases, or summoned on a motion for change of venue; and provided further, that no fees shall be approved by the court in any case where the charge includes a misdemeanor case until the case is finally disposed of, and in case of a conviction for misdemeanor no fees shall be paid by the State; and provided further that witnesses attending court in more than one case at the same time shall receive fees in only one case: and provided further, that in no event shall the State pay per diem in any one case of more than five dollars to any witness in any one case at any one term of the court; and provided further, that the fee to be collected by the district

clerk for swearing each witness to his account for his attendance in a case shall be ten cents.

Sec. 2. The near approach of the close of the session of the Legislature and the importance of this subject matter creates an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and it is so suspended, and that this act take effect and be in force from and after its passage, and it is so enacted.

BRELSFORD,
CARTER,
MORROW,
WARREN,
GIBSON,

On the part of the Senate.

PENRY,
BURMEISTER,
TILLOTSON,
BRUCE,

On the part of the House.

The above report was adopted by the following vote:

Yeas—22.

Bailey of De Witt.	McNealus.
Bailey of Harris.	Morrow.
Brelsford.	Nugent.
Carter.	Oliver.
Collins.	Taylor.
Cowell.	Townsend.
Darwin.	Warren.
Greer.	Watson.
Hudspeth.	Westbrook.
Lattimore.	Wiley.
McGregor.	Willacy.

Absent.

Astin.	Harley.
Clark.	Johnson.
Conner.	Terrell.
Gibson.	

Absent—Excused.

Real.

Senator Brelsford moved to reconsider the vote by which the report was adopted and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 21.

The Chair laid before the Senate, on second reading,

Senate bill No. 21, A bill to be entitled "An Act adding to and making a part of the Memphis Independent School District of Hall county, Texas, certain lands and territory adjoining thereto

situate in Hall county, and adding thereto and making a part thereof certain lands and territory adjoining thereto situate in the county of Collingsworth, all for school purposes; giving the board of trustees of said district power and jurisdiction over said lands and territory and the inhabitants thereof; requiring such board of trustees to levy, assess, collect and pay into the treasury annually a proportional part of a certain tax fund existing on part of said territory, and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Willacy, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—25.

Astin.	Lattimore.
Bailey of De Witt.	McGregor.
Bailey of Harris.	McNealus.
Brelsford.	Nugent.
Carter.	Oliver.
Clark.	Taylor.
Collins.	Townsend.
Conner.	Warren.
Cowell.	Watson.
Darwin.	Westbrook.
Gibson.	Wiley.
Greer.	Willacy.
Hudspeth.	

Absent.

Harley.	Morrow.
Johnson.	Terrell.

Absent—Excused.

Real.

The bill was read third time and passed by the following vote:

Yeas—28.

Astin.	Lattimore.
Bailey of De Witt.	McGregor.
Bailey of Harris.	McNealus.
Brelsford.	Morrow.
Carter.	Nugent.
Clark.	Oliver.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Warren.
Gibson.	Watson.
Greer.	Westbrook.
Harley.	Wiley.
Hudspeth.	Willacy.

Absent.

Johnson.

Absent—Excused.

Real.

Senator Westbrook moved to reconsider the vote by which the bill was passed, and lay that motion on the table. The motion to table prevailed.

EXECUTIVE MESSAGE.

Governor's Office,
Austin, Texas, August 15, 1913.

To the Senate:

I ask the advice and consent of the Senate to the following appointments:

To be members of the Board of Managers of the State Orphan Home at Corsicana—John S. Callicut of Navarro county, in place of John H. Rice, resigned; and Walter Montgomery of Navarro county.

To be members of the Industrial Accident Board, as provided for by Chapter 179, General Laws of the Regular Session of the Thirty-third Legislature—Hon. Jos. D. Sayers of Travis county, to be chairman and attorney of said board; Hon. W. J. Moran of Tarrant county, as the labor representative.

Respectfully submitted,
O. B. COLQUITT,
Governor of Texas.

EXECUTIVE MESSAGE.

Governor's Office,
Austin, Texas, August 15, 1913.

To the Texas Legislature:

In harmony with the proclamation of the Governor convening the First Called Session of the Thirty-third Legislature, and as provided by Section 40, of Article 4, of the Constitution, I present the following additional subjects for legislation:

1. The passage of an act to amend Article 632, Title 18, Chapter 2, of the Revised Civil Statutes of Texas, 1911, relating to the issuance of road bonds; and the passage of an act to amend Article 611, Title 18, Chapter 1, of the Revised Civil Statutes of Texas, 1911, relating to the maturity of county bonds.

2. The passage of an act providing for a special district court for El Paso county, and the appointment of a special district judge thereof, the term of said court and judge to expire January 1, 1915. I have been assured that this relief is necessary and that the docket

of the district court of El Paso county is more than a year behind.

3. The passage of an act for the relief of persons who have on file in the General Land Office valid applications to purchase school and other public lands, and where awards to them have been duly made on such applications, and such persons failed to settle on their lands within the ninety days required by law, but have in fact settled thereon in good faith to make the same their home, and in all cases where the applicant has become an actual bona fide settler on the land but failed to file his affidavit of settlement within the time required by law, but did file the affidavit, and such purchaser or his legal assignee has continued to reside thereon; then in that event such settlement and attempted purchases may be validated.

Respectfully submitted.

O. B. COLQUITT,
Governor of Texas.

BILLS AND RESOLUTIONS.

(By Unanimous Consent.)

By Senator Cowell:

Senate bill No. 51, A bill to be entitled "An Act to amend Article 611, Title 18, Chapter 1, of the Revised Civil Statutes of the State of Texas, relating to the maturities of county bonds, and declaring an emergency."

Read first time and referred to Judiciary Committee No. 1.

By Senator Cowell:

Senate bill No. 52, A bill to be entitled "An Act to amend Article 632, Title 18, Chapter 2, of the Revised Civil Statutes of the State of Texas, relating to the issuance of road bonds, and declaring an emergency."

Read first time and referred to Committee on Roads, Bridges and Ferries.

By Senator Hudspeth:

Senate bill No. 53, A bill to be entitled "An Act to create a special district court for El Paso county, Texas, to be known as the Special District Court of El Paso county; to prescribe its jurisdiction; to limit its existence; to fix its terms; to conform all writs and process of said court to the district court of said county and to such changes as are made in the jurisdiction of said court by this act; to empower the judge of a said special district court and the judges of the Thirty-fourth Judicial District court and

the Forty-first Judicial District court of Texas to transfer cases from their respective courts to this court; to provide for appointment of a judge for said special district court; to fix his salary and term of office, and declaring an emergency."

Read first time and referred to Committee on Judicial Districts.

By Senators Hudspeth and Willacy:

Senate bill No. 54, A bill to be entitled "An Act to validate certain settlement on and purchase of public free school land, and declaring an emergency."

Read first time and referred to Committee on Public Lands and Land Office.

SENATE BILL NO. 46.

Senator Watson moved that the regular order of business (Senate bill No. 10) be suspended and that the Senate take up, out of its order, Senate bill No. 46, which motion prevailed.

The Chair laid before the Senate, on second reading,

Senate bill No. 46, A bill to be entitled "An Act to amend Articles 7435, 7442, 7451 and 7452 of the Revised Civil Statutes of the State of Texas of 1911, so as to provide for fixing the hours of opening and closing any house or place of business where intoxicating liquors are licensed to be sold, requiring the closing of such places of business between the hours of 9:30 p. m. on Saturday night and 6 a. m. of the following Monday morning, and between the hours of 9:30 p. m. and 6 a. m. of the following morning of any week day, and authorizing recovery upon the bond and forfeiture of license of retail liquor dealers violating any penal law of this State relating to retail liquor dealers, and declaring an emergency."

Senator Wiley moved that the bill be considered article by article, which motion prevailed.

Article 7435 was read, and

Senator McNealus offered the following amendment:

Amend the bill by changing the hour of closing liquor saloons from "9:30 p. m." wherever it may occur in the bill, to "7 p. m."

Senator Watson made the point of order that the amendment was not germane on account of it not being in accordance with the Governor's message.

The Chair overruled the point of order.

Senator Watson moved to table the amendment, which motion was adopted by the following vote:

Yeas—21.

Astin.	McGregor.
Bailey of De Witt.	Morrow.
Bailey of Harris.	Nugent.
Brelstord.	Oliver.
Conner.	Taylor.
Cowell.	Terrell.
Darwin.	Warren.
Gibson.	Watson.
Harley.	Wiley.
Hudspeth.	Willacy.
Lattimore.	

Nays—6.

Carter.	McNealus.
Collins.	Townsend.
Greer.	Westbrook.

Absent.

Clark.	Johnson.
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Absent—Excused.

Real.

Senator Watson offered the following amendment, which was read and adopted:

Amend the bill, page 2, line 1, by adding after the word "o'clock" the following: "at night."

Senator Watson offered the following amendment:

Amend the bill, page 3, line 3, by adding after the word "week" the following: "or after 9:30 o'clock p. m., and before 6 o'clock a. m. of the following morning of any week day."

Pending.

Senator Brelsford moved that Senate bill No. 46 be printed in the Journal, which motion was adopted.

Following is the bill in full:

S. B. No. 46.

By Watson.

A BILL

To Be Entitled

An Act to amend Articles 7435, 7442, 7451 and 7452, of the Revised Civil Statutes of the State of Texas of 1911, so as to provide for fixing the hours of opening and closing any house or place of business where intoxicating liquors are licensed to be sold, requiring the closing of such places of business between the hours of 9:30 p. m. on Saturday night and 6 a. m. of the following Monday morning, and between the hours of 9:30 p. m. and 6 a. m. of the following morning of any week day, and authorizing recovery upon the bond and forfeiture of license of retail liquor dealers violating

ing any penal law of this State relating to retail liquor dealers, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Articles 7435, 7442, 7451 and 7452, of the Revised Civil Statutes of Texas of 1911 be so amended as to hereafter read as follows:

Article 7435. Application for License.—Any person or persons desiring to obtain a retail liquor dealer's license in this State or a retail malt dealer's license, shall, before filing his or their petition for such license with the county judge as now provided by this law, make application under oath to the Comptroller of Public Accounts of this State for a permit to apply for a license to engage in such business, which application shall be in form substantially as follows:

To the Comptroller of Public Accounts of the State of Texas:

I, or we, and of the county of, State of Texas, hereby apply for a permit to apply for a license to engage in the business of retail liquor dealer or dealers (or retail malt dealer or dealers) under the laws of this State, said business to be conducted at No., street, in in the county of, State of Texas; that there is now no statute or ordinance of the city in force prohibiting the retail sale of liquors at said place; that I, or we, have resided for the past two years in county, State of Texas, and during said time have been engaged in the business of; that I am, or we are, not disqualified under the laws of this State from engaging in the proposed business; that no other person or corporation is in any manner interested in or to be interested in the proposed business; that I, or we, have not, since the first day of May, A. D. 1909, and the first day of July, A. D. 1913, or any time between said dates, as owner, or as the representative, agent or employe of any other person, kept open any saloon or place of business where spirituous, vinous or malt liquors, or medicated bitters capable of producing intoxication, were sold, or sold, aided or advised any other person in selling in or near any such house or place of business any such liquor after 12 o'clock midnight on Saturday, and between that hour and 5 o'clock a. m. of the following Monday of any week; and that since the first day of July, A. D. 1913, have not, as owner or as the representative, agent or employe of any other person,

kept open any saloon or place of business where spirituous, vinous or malt liquors or medicated bitters capable of producing intoxication were sold, or sold, aided or advised any other person in selling in or near any such house or place of business any such liquors after nine thirty (9:30) o'clock on Saturday and between that hour and 6 o'clock a. m. of the following Monday of any week; or since said date, either in person or by agent or employe, knowingly sold or permitted to be sold or given away in or near any such place of business, any spirituous, vinous or malt liquors, or medicated bitters capable of producing intoxication, to any person under the age of twenty-one years, or to any student of any institution of learning, or to any habitual drunkard, after having been notified in writing through the sheriff, or other peace officer, by the wife, sister, father, mother or daughter, of such person not to sell to such habitual drunkard; or permitted any person not over the age of twenty-one years to enter and remain in such house or place of business, or permitted any games prohibited by the laws of this State to be played, dealt or exhibited in or about such house or place of business, or rented or let any part of the house or place of business in which such business was conducted to any person or persons for the purpose of conducting any game or games prohibited by the laws of this State; or knowingly sold or given away any adulterated or impure liquors of any kind, or sold or permitted, aided or advised in selling under a retail malt dealers' license, any other liquors than those defined by the laws as malt liquors. And if the permission herein sought be granted and the said retail license be issued, I, or we, will not either in person, or knowingly by any agent, employe or representative, during the year for which such license shall run, keep open the house or place where liquors shall be sold under such license for the sale thereof, or transact such business in such house or place of business after 9:30 o'clock p. m. on Saturday and between that hour and six (6) o'clock a. m. on the following Monday of any week; or knowingly sell in or near any such place of business, or give away, or permit to be given away, any spirituous, vinous or malt liquors, or medicated batters capable of producing intoxication, to any person under the age of twenty-one years, or to any student of any institution of learning, or to any habitual drunkard, after having been notified in writing through the sheriff, or other peace officer, by the

wife, mother, father, daughter or sister not to sell to such habitual drunkard; or to permit any person not over the age of twenty-one years to enter and remain in such house or place of business; or permit any game prohibited by the laws of this State to be played, dealt or exhibited in or about such house or place of business, or rent or let any part of the house or place of business in which such business is conducted to any person or persons, for the purpose of conducting any game or games prohibited by the laws of this State; or knowingly give away any impure liquor or adulterated liquors of any kind; and, if the application be for a retail malt dealer's license, it shall further state that he or they under the said license will not sell any other liquors than those defined by law as "malt liquors." And it is hereby agreed that if the license to be applied for be issued upon condition that it shall remain in force only so long as I, or we, observe and carry out each and all of the declarations herein made, and that in the event I, or we, violate any of the promises or do or perform any one or more of the acts which it is herein declared shall not be done or performed, that either the county judge or the Comptroller of Public Accounts of the State of Texas, in the manner provided in this law, may rescind, cancel and annul the said State and county license granted in pursuance of this application, and that all money paid for such license shall be forfeited to the State and county or city to whom paid; and that I, or we, will at once, upon the cancellation of such license, close up the place where such business is being conducted and cease to do such business, and will not within five years from that date again, either as owner, agent, representative or employe of any other person, attempt to enter into, or engage in the retail liquor business, unless the order of the Comptroller canceling and rescinding such license shall be annulled in case such licenses shall have been canceled by the Comptroller.

Sworn to and subscribed before me, a
within and for the county
 of, State of Texas, by
on this, theday of
191...

(L. S.)

(Signature of Officer.)

That, upon receiving such application, it shall be the duty of the Comptroller to file the same and keep it as a per-

manent record in his office, to examine and act upon the same; and, if he is satisfied that such applicant is entitled to such permit, he shall upon the payment to him by the applicant, of two dollars issue to him such permit, under his hand and the seal of his office, which, together with a copy of such application, duly certified to under the hand and seal of the Comptroller, shall be delivered by him to the applicant; and the said permit, together with the certified copy of said application, shall be filed with the county judge, together with the petition for license to be filed with the county judge, and shall remain a permanent record in the office of the county judge; and no petition for license shall be entertained by the county judge until said certified copy and permit have been filed with him by the applicant.

Art. 7442. Upon receipt of the said depositions, the Comptroller shall open and proceed to consider the same, and, if he shall determine from the preponderance of the credible evidence therein contained that at any time after the issuance of said license the house or place where the business of selling liquors under said license was conducted, was kept open and business conducted therein after half past nine o'clock (9:30 p. m.) on Saturday and between that hour and six o'clock a. m. on the following Monday of any week, or that any intoxicating liquors, or medicated bitters capable of producing intoxication, were knowingly sold, permitted to be sold or given by the holder or holders of such license to any person under the age of twenty-one years, or to any student of any institution of learning, or to any habitual drunkard after having been notified in writing through the sheriff, or other peace officer, by the wife, mother, father, daughter or sister of such habitual drunkard to sell same to him, or that any person not over the age of twenty-one years had been permitted to enter and remain in such house or place of business, or that games prohibited by laws of this State had been permitted to be played, dealt or exhibited in or about such house or place of business, or that the person or persons holding such license had rented or let any part of the said house or place of business where such business is conducted to any person or persons for the purpose of conducting any game or games prohibited by the laws of this State, or that the person or persons holding such license had knowingly sold or given away any adulterated or impure liquors of any kind, or sold or knowingly permitted to

be sold, or aided or advised in selling, under a retail malt dealer's license, any other liquors than those defined by law as malt liquors, he shall rescind, vacate and withdraw such license, and shall issue a certificate in triplicate under his hand and the seal of said office, declaring the rescission of such license, theretofore issued, to such person or persons, one copy of which certificate shall remain on file in his office, and one copy shall be forwarded by the Comptroller by mail to the county judge of the county where the place of business of the person or persons whose license is withdrawn and rescinded is located, and the other copy shall be forwarded by mail to the person or persons whose license has been so rescinded and withdrawn; and it shall be unlawful thereafter for such person or persons to continue such business, and any attempt to do so shall subject him or them to the penalty herein provided for pursuing such business without a license; and any person or persons whose license has been so rescinded and withdrawn shall forfeit to the State, county and city all money paid therefor, and they shall never have any claim against the State, county or city on account of any money paid for such license.

Art. 7451. Regulating Hours of Closing, Etc.—Every person or firm having a license under the provisions of this law, who may be engaged in or who may hereafter engage in the sale of intoxicating liquors to be drunk on the premises in any locality of this State, other than where local option is in force, shall close and keep closed their houses and places of business and transact no business therein or therefrom from and after half past nine o'clock (9:30 p. m.) at night until six o'clock a. m. of each week day, and shall close and keep closed their houses and places of business and transact no business therein or therefrom from and after half past nine (9:30 p. m.) at night Saturday until six a. m. of the following Monday of each week.

Art. 7452.—Every person or firm desiring to engage in the sale of spirituous, vinous or malt liquors, or medicated bitters capable of producing intoxication, to be drunk on the premises, shall, before engaging in such sale be required to enter into a bond in the sum of five thousand dollars; provided, however, that any person or firm dealing exclusively in malt liquors shall be required to give bond only in the sum of one thousand dollars, with at least two good, lawful and sufficient sureties,

and the sureties required by law on the bonds of liquor dealers shall make affidavit, before some officer authorized to administer oaths, that they, in their own right, and above all exemptions, are each worth the full amount of the bond they sign as sureties; and no county judge shall approve any such bond unless the affidavit as provided for in this article shall have been duly made. The approval of any such bond by the county judge without such affidavit shall make said county judge liable for any penalty recovered on such liquor dealer's bond; and any person who shall make any false affidavit, as required by this law, shall be punished as provided for in the Penal Code of this State; provided, that nothing herein shall prevent the making of such bond by a surety company as permitted by law, payable to the State of Texas, to be approved as to surety by the county judge; which bond shall be conditioned that said person or firm so selling spirituous, vinous or malt liquors, or medicated bitters capable of producing intoxication in any quantity, to be drunk on the premises, shall not, either in person or knowingly by any agent, employe or representative, during the year for which such license shall run, keep open the house, or place where liquors shall be sold under such license for the sale thereof, or transact such business in such house or place of business, after half past nine o'clock (9:30 p. m.) at night on Saturday and between that hour and six o'clock a. m. on the following Monday morning of any week; and that such person or firm shall keep an open, quiet and orderly house or place for the sale of spirituous, vinous or malt liquors, or medicated bitters capable of producing intoxication, and that such person or firm, or his or their agent or employe, will not sell or permit to be sold in his or their house or place of business, nor give nor permit to be given, any spirituous, vinous or malt liquors, or medicated bitters capable of producing intoxication, to any person under the age of twenty-one years, or to a student of any institution of learning, or any habitual drunkard, after having been notified in writing, through the sheriff or other peace officer, by the father, mother, daughter or sister of such habitual drunkard, said notice shall be in force and effect for a period of two years not to sell to any such person, and that he or they will not permit any persons under the age of twenty-one years to enter

and remain in such house or place of business; that he or they will not permit any games prohibited by the law of this State to be played, dealt or exhibited in or about such house or place of business, and that he or they will not rent or let any part of the house or place in which he or they have undertaken to sell spirituous, vinous or malt liquors, or medicated bitters capable of producing intoxication in any quantity, to be drunk on the premises, to any person or persons for the purpose of running or conducting any game or games prohibited by the laws of this State, and that he or they will not adulterate the liquors sold by them in any manner, mixing the same with any drug, and that he or they will not knowingly sell or give away any impure or adulterated liquors of any kind; which said bond shall be filed in the office of the county clerk where such business is conducted, and shall be recorded by such clerk in a book to be kept for such purpose; for which service said clerk shall be entitled to a fee of seventy-five cents; which said bond may be sued on at the instance of any person or persons aggrieved by the violations of its provisions, and such person shall be entitled to recover the sum of five hundred dollars as liquidated damages for each infraction of the conditions of such bond; and the said bond shall not be void on the first recovery, but may be sued on until the full penal sum named therein shall have been recovered. In addition to civil proceedings for individual injuries brought on said bond, as above indicated, if any person or firm shall violate any of the conditions of herein required, it shall be the duty of the county and district attorney or either of them, to institute suit thereupon; or any person owning real property in the county may institute suit thereupon in the name of the State of Texas, for the use and benefit of the county, but no compensation shall be allowed such citizen, and he may be required to give security for costs; and the amount of five hundred dollars as a penalty shall be recovered from the principals and sureties upon the liquor dealer's bond, upon the breach of any of the conditions thereof; and hereafter, when any recovery is had by any person or by any county or district attorney, for the use and benefit of the county in any action in any court of competent jurisdiction, upon the bond of any person or firm engaged in the sale of spirituous, vinous or malt liquors, or medicated bitters capable of producing intoxication, or

malt liquors exclusively, to be drunk on the premises, in any locality other than where local option is in force, upon the ground that such licensee sold, or permitted to be sold, or gave or permitted to be given any such liquors to a minor in his place of business, or permitted a minor to enter or remain in his place of business, or sold such liquor to any habitual drunkard after having been notified in writing not to sell to such habitual drunkard, or that such licensee permitted prostitutes or lewd women to enter and remain in his place of business, or permitted any games prohibited by the law to be played, dealt or exhibited in or about his place of business, or of renting or letting his place of business, or any part thereof, for such purpose or purposes, the license of such person or firm shall, by reason of such recovery, be forfeited, revoked and canceled; and the court entering judgment of recovery shall also enter an order declaring forfeited, revoked and canceled such license; and the unearned portion of the occupation tax paid therefor shall not be refunded, but shall be forfeited to the State and county, city or town to which the money for the same may have been paid. And any person or firm who shall sell any such liquors or medicated bitters in any quantity, to be drunk on the premises, without first giving bond as required by this law or who shall sell the same after said license shall have been forfeited, revoked or canceled, shall be deemed guilty of a misdemeanor and on conviction shall be fined in the same amount provided for sales where no license has been obtained. An open house, in the meaning of this chapter, is one in which no screens or other device is used or placed inside or outside of such house or place of business for the purpose of or that will obstruct the view through the open door or place of entrance into any such house or place where intoxicating liquors are sold to be drunk on the premises. A quiet house or place of business, in the meaning of this chapter is one in which no music, loud or boisterous talking, yelling or indecent or vulgar language is allowed, used or practiced, or any other noise calculated to disturb or annoy any person residing or doing business in the vicinity of such house or place of business, or those passing along the streets or public highways. By an orderly house is meant one in which no prostitutes or lewd women or woman are allowed to enter or remain; and it is further provided, that said house must not contain any vulgar or obscene pictures. Any

surety on such bond may relieve himself from further liability thereon by giving the principal in said bond notice in writing that he will not longer remain as surety thereon, and by filing with the county judge an affidavit that such notice has been given; and if within five days after such notice the principal fails to make a new bond, he shall cease to pursue said business until a new bond is given. Any person who shall continue to pursue said business, after such notice is given and such affidavit is filed, shall be guilty of a misdemeanor and shall be punished as provided in cases where no license has been procured; provided, that where the sale was made in good faith, or the minor permitted to enter and remain in good faith with the belief that the minor was of age, and there is good ground for such belief, that shall be a valid defense to any recovery on such bond; provided further, that where the sale to an habitual drunkard is made in good faith, with the belief that he is not an habitual drunkard, and there is good grounds for such belief, that shall be a valid defense to any recovery on such bond; provided, the provisions of this law shall apply to suits by the State or of any individual. Provided, that no license shall be issued under this law to any person who has been convicted of a felony and served such term of conviction.

Sec. 2. The fact that the Revised Civil Statutes of Texas of 1911 are in conflict with the provisions of Article 615, Title 11, Chapter 8, of the Penal Code as amended by Chapter 75, General Laws of the Regular Session of the Thirty-third Legislature, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and that this act take effect and be in force from and after its passage, and it is so enacted.

SENATE BILL NO. 39.

Senator Warren moved that Senate bill No. 39 be made a special order for tomorrow morning, after the conclusion of the morning call, which motion was adopted.

SENATE BILL NO. 53.

(By Unanimous Consent.)

On motion of Senator Hudspeth, the constitutional rule requiring bills to be read on three several days was suspended

and Senate bill No. 53 put on its second reading by the following vote.

Yeas—27.

Bailey of De Witt.	McGregor.
Bailey of Harris.	McNealus.
Brelsford.	Morrow.
Carter.	Nugent.
Clark.	Oliver.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Warren.
Gibson.	Watson.
Greer.	Westbrook.
Harley.	Wiley.
Hudspeth.	Willacy.
Lattimore.	

Nays—1.

Astin.

Absent.

Johnson.

Absent—Excused.

Real.

The Chair laid before the Senate, on second reading,

Senate bill No. 43, creating a special district court for El Paso county, and declaring an emergency.

The Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill (see Appendix for committee report).

The committee report, which provided that the bill be not printed, was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Hudspeth, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—28.

Astin.	Lattimore.
Bailey of De Witt.	McGregor.
Bailey of Harris.	McNealus.
Brelsford.	Morrow.
Carter.	Nugent.
Clark.	Oliver.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Warren.
Gibson.	Watson.
Greer.	Westbrook.
Harley.	Wiley.
Hudspeth.	Willacy.

Absent.

Johnson.

Absent—Excused.

Real.

The bill was read third time and passed by the following vote:

Yeas—28.

Astin.	Lattimore.
Bailey of De Witt.	McGregor.
Bailey of Harris.	McNealus.
Brelsford.	Morrow.
Carter.	Nugent.
Clark.	Oliver.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Warren.
Gibson.	Watson.
Greer.	Westbrook.
Harley.	Wiley.
Hudspeth.	Willacy.

Absent.

Johnson.

Absent—Excused.

Real.

Senator Hudspeth moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 40.

(By Unanimous Consent.)

The Chair laid before the Senate on second reading.

Senate bill No. 40, A bill to be entitled "An Act to amend Article 911 of the Penal Code of the State of Texas, as amended at the Regular Session of the Thirty-third Legislature, Chapter 135, page 268, Acts of the Thirty-third Legislature, so as to prevent taking fish or terrapin by drag seine during the breeding season and to prevent seining and netting in all passes leading from Texas bay waters into the Gulf of Mexico, and in all streams and canals leading from one body of salt water to another body of salt water in the State of Texas; to empower the Game, Fish and Oyster Commissioner to close waters against seining and netting under certain conditions, and to prevent seining during the breeding season in salt waters, and providing penalty for the violation of this act, and declaring an emergency."

The Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill (see Appendix for committee report).

The committee report, which provided that the bill be not printed, was adopted.

Senator Wiley offered the following amendment, which was read and adopted:

Amend Senate bill by adding at the bottom of Section 1 the following: "And provided further, that this section is not intended to prevent the use of trammel nets, gill nets or other nets when used strictly as set nets, except in passes, streams, canals and in waters within one mile of passes leading from coastal waters into the Gulf of Mexico."

The bill was read second time and passed to engrossment.

On motion of Senator Wiley, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—23.

Astin.	McNealus.
Bailey of De Witt.	Morrow.
Carter.	Nugent.
Collins.	Oliver.
Conner.	Taylor.
Cowell.	Terrell.
Darwin.	Townsend.
Gibson.	Warren.
Greer.	Watson.
Harley.	Westbrook.
Hudspeth.	Wiley.
Lattimore.	

Absent.

Bailey of Harris.	Johnson.
Brelsford.	McGregor.
Clark.	Willacy.

Absent—Excused.

Real.

The bill was read third time and passed by the following vote:

Yeas—24.

Astin.	McNealus.
Bailey of De Witt.	Morrow.
Carter.	Nugent.
Collins.	Oliver.
Conner.	Taylor.
Cowell.	Terrell.
Darwin.	Townsend.
Gibson.	Warren.
Greer.	Watson.
Harley.	Westbrook.
Hudspeth.	Wiley.
Lattimore.	Willacy.

Present—Not Voting.

Bailey of Harris.

Absent.

Brelsford. Johnson.
Clark. McGregor.

Absent—Excused.

Real.

Senator Wiley moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

Senator Nugent moved that his name be stricken from Senate bill No. 20, known as the bonded warehouse bill, which motion prevailed.

ADJOURNMENT.

On motion of Senator Taylor, the Senate, at 6:20 o'clock p. m., adjourned until 10 o'clock tomorrow morning.

APPENDIX.**COMMITTEE REPORTS.**

Committee Room,
Austin, Texas, August 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Federal Relations, to whom was referred House Concurrent Resolution No. 9, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that the Senate do concur in the same, and that said resolution be not printed.

WESTBROOK, Chairman.

(Floor Report.)

Austin, Texas, August 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Judicial Districts, to whom was referred

Senate bill No. 53, A bill to be entitled "An Act to create a special district court for El Paso county, Texas, to be known as the Special District Court of El Paso county; to prescribe its jurisdiction; to limit its existence; to fix its terms; to conform all writs and process of said court to the district court of said county and to such changes as are made in the jurisdiction of said court by this act; to empower the judge of the said special district court and the judges of the Thirty-fourth Judicial District court and

the Forty-first Judicial District court of Texas to transfer cases from their respective courts to this court; to provide for appointment of a judge for said special district court; to fix his salary and term of office, and declaring an emergency,"

Have had the same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass and be not printed.

Hudspeth, Chairman; Bailey, Morrow, Nugent, Taylor, Brelsford, Carter.

Committee Room,

Austin, Texas, August 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared,

Senate bill No. 16, A bill to be entitled "An Act on the subject of private corporations, authorizing the chartering of corporations for the purpose of acquiring, improving, subdividing and selling unimproved lands, within the State of Texas under the terms, conditions and limitations prescribed in this act; the said corporations to be known as 'colonization companies'; and all corporations organized under the provisions of this act, or which accept the provisions of the same, shall be under the supervision of the Commissioner of Banking and Insurance; prescribing the powers, duties and limitations of said corporations; requiring the same to make reports; prescribing the amount of franchise taxes to be paid; prescribing the terms and conditions under which corporations now in existence chartered for other purposes may accept the provisions of this act and exercise the powers and privileges thereof; prescribing the terms and conditions on which foreign corporations chartered for the same purpose may be admitted to do business in this State, and prescribing the powers, duties and privileges of said foreign corporations, and prohibiting any foreign corporation granted a permit to do business in this State from acquiring, improving, subdividing or selling real estate except as an agent for the owner of said lands; prescribing the procedure to be pursued against companies violating the provisions of this act; and further providing that any foreign corporation doing business in this State under a permit that without the consent of the other party to the litigation shall remove a suit or proceeding brought by or against it in a State court to any Federal court

or shall institute any suit in a Federal court against any domestic corporation or citizen in this State, shall have its permit cancelled and it shall be barred from doing business in this State, and declaring an emergency,"

And find it correctly engrossed.

BRELSFORD, Chairman.

Committee Room,

Austin, Texas, August 16, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 29, A bill to be entitled "An Act to prohibit the creation of deficiencies or debts in the name of the State by regents, directors, officers or members of governing boards of any of the educational or eleemosynary institutions of the State of Texas; to prohibit the making of any contract or the creating of any debt inconsistent with existing laws, making invalid all such contracts and debts, prohibiting the diverting of funds, providing for penalties for violations of this act, repealing all laws and parts of laws in conflict herewith, and declaring an emergency,"

And find it correctly engrossed.

BRELSFORD, Chairman.

Committee Room.

Austin, Texas, August 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate Concurrent Resolution No. 5, Providing for the appointment of a State Commission to raise the funds, assemble, prepare, install and maintain an exhibit of the resources of the State of Texas at the Panama-Pacific International Exposition at San Francisco, 1915.

And find it correctly engrossed.

BRELSFORD, Chairman.

Committee Room,

Austin, Texas, August 16, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 21, A bill to be entitled "An Act adding to and making a part of the Memphis Independent School District of Hall county, Texas, certain lands and territory adjoining thereto situate in Hall county, and adding

thereto and making a part thereof certain lands and territory adjoining thereto, situate in the county of Collingsworth, all for school purposes; giving the board of trustees of said district power and jurisdiction over said lands and territory and the inhabitants thereof; requiring such board of trustees to levy, assess, collect and pay into the Treasury annually a proportional part of a certain tax fund existing on part of said territory, and declaring an emergency,"

And find it correctly engrossed.

BRELSFORD, Chairman.

HOUSE BILL NO. 29.

The following bill is printed here by motion of Senator Willacy:

H. B. No. 29. By Wortham.

A BILL

To Be Entitled

An Act making appropriations to pay various miscellaneous claims against the State, authorizing the payment of said miscellaneous items on the taking effect of this act, making appropriations for deficiencies incurred in the support of the State government for the fiscal year ending August 31, 1913, and for the purpose of meeting emergencies occurring during the fiscal year ending August 31, 1913, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That the following sums of money, or so much thereof as may be necessary, be, and the same are hereby appropriated out of any money in the Treasury not otherwise appropriated to pay various miscellaneous claims against the State, as herein enumerated; and for deficiencies incurred in the support of the State government for the fiscal year ending August 31, 1913, and for the purpose of meeting emergencies occurring during the fiscal year ending August 31, 1913.

Miscellaneous Items.

To refund liquor dealers the proportionate amount of taxes heretofore paid by them for the unexpired term of their licenses in local option district, and restricted districts on account of amended city charters, up to August 31, 1915, and to refund the

State's portion of all such liquor licenses, heretofore paid under laws, heretofore enacted, or so much thereof as may be necessary	\$ 10,000 00	Branch, citizens of Jackson county, amount overpaid in taxes.....	41 33
To pay Jake Giles, sheriff of Jefferson county, fees in criminal cases	206 40	To refund State taxes erroneously paid by the Ragley-Saner Lumber Company of Jasper county....	13 31
To pay C. W. Howth fees as county attorney in felony cases, on which payments were made, as if the county was under the fee bill....	184 00	To refund to the First National Bank of Amarillo, Texas, taxes erroneously paid	155 00
To pay T. F. Skevington, tax assessor of Dimmit county, for assessing State revenue and State school taxes for year 1912, as per Comptroller's certificate No. 1..	883 85	To refund to the Rural Telephone Company of Holland, Texas, gross receipts taxes illegally and erroneously paid	85 93
To pay Dennis Richardson for services as a Texas ranger for five months at \$40 a month, from March, 1860, to July, 1860, inclusive	200 00	To refund to Mrs. P. B. Carr taxes erroneously paid on lot in city of Dallas.....	6 00
To pay J. P. Flynt, sheriff of Runnels county, fees in felony cases	20 00	To pay amount due W. M. Atkinson, district attorney of the Twenty-fifth Judicial District, for services rendered in trial of certain cases in the years 1908 and 1909, included.....	180 00
To pay William Reese, manager for the Colonial and United States Mortgage Company, Ltd., overpaid franchise tax	72 00	To pay R. B. Minor salary as codifying commissioner from December 15, 1912, to January 1, 1913.....	145 83
To pay Marshall Traction Company amount erroneously paid as franchise tax on account of said company being subject to the gross receipts tax law.....	37 50	To pay Andreas Coy, Jr., district clerk, Bexar county, Texas, for costs in the case of H. E. W. Gley vs. Lane	27 55
To pay Mrs. E. L. Wesley, public free school teacher of Coleman county, Texas, for amount due her for services rendered during the year of 1891, account having the approval of State Superintendent F. M. Bralley	40 00	To refund to S. H. Huston of Houston, Texas, taxes erroneously paid to the State	10 32
To pay Higgins Oil and Fuel Company claim against the State for four cars of fuel oil, shipped and delivered to the State Lunatic Asylum, at Austin, during the year 1907, which account now has the approval of the storekeeper and accountant and the Purchasing Agent at that time...	859 43	To pay the Southwestern Traction Company, franchise tax erroneously paid, on account of paying a gross receipt tax	172 55
To pay the Swann Furniture and Carpet Company for desks, chairs, carpet and linoleum for the House of Representatives	2,380 02	To pay accounts of annotators and assistants, as per list of approved accounts by the Codifying Commissioners	4,413 21
To refund to C. and E.		To pay Judge Sam R. Scott and assistants, for services rendered in connection with the locating and re-marking boundary line between New Mexico and the State of Texas, as per contract entered into by the Governor of Texas and Judge Scott on the 12th day of April, 1911, included.....	10,073 49
		To pay the San Antonio Drug Company for drugs, etc., delivered to the Southwestern Insane Asylum at San Antonio, State	

Orphans' Home, at Corsicana, and the North Texas Insane Asylum at Terrell, Texas, said claims being properly approved by the boards of each of the above named institutions, the same having never been paid, papers having been lost in the past	224 81	3751, State of Texas vs. Sam Spicer	23 25
To pay Swift & Co. for two shipments of butterine, made to the Southwestern Insane Asylum of San Antonio, April 26, 1911, and June 2, 1911	268 80	To pay account of stenographers, as per approved accounts by the codifying commissioners	1,378 25
To pay Austin Light & Power Company for water and light furnished the State Deaf, Dumb and Blind Institute, colored, during the months of May, June, July and August, 1911, and July and August, 1912; also State Insane Asylum, July and August, 1912; State Confederate Home, August, 1911; also water furnished Capitol grounds during the months of July and August, 1911; also Land Office, August, 1911, and 1912; also water and light furnished the State Confederate Home for July and August, 1907; January, April and July, 1908	1,968 93	To pay Z. R. McDonald, official court reporter, Fifty-ninth Judicial District, fees allowed for services rendered in case No. 11687, State of Texas vs. Wood Maxcey	26 25
The above claims have never been paid, as the funds for the different institutions to cover such items having been exhausted for those months, and furthermore, these claims have never been presented to the Finance Committee, for the reason that they had been misplaced.		To pay O. P. Fowler, official court reporter Twenty-fourth Judicial District, for services in criminal cases, as per accounts filed in Comptroller's Department	122 17
To pay A. L. Ledbetter of Dallas county, fees due in trials of certain cases.....	27 90	To pay H. P. Bickler, official court reporter Twenty-sixth Judicial District, stenographic fees in cases of State of Texas vs. Raphael Lopez, C. O. Turner and W. M. Stevens.....	31 42
To pay Tom D. Smith for yeast furnished the Deaf and Dumb Institute, colored, during months of April and May, 1913, said account being approved by the board of said institution	16 36	To pay T. M. Harrell, official court reporter Seventy-first Judicial District, case of Texas vs. Mose Wilson..	11 06
To pay W. H. Graham fees in case No. 3744 in the district court of Taylor county, State of Texas, vs. Bernardo Acosta; also case No.		To pay George G. Markley, official court reporter of the First Judicial District, stenographic fees in sundry cases	112 25
		To pay Earl Carter, official court reporter of the Sixty-sixth Judicial District, for services in case of State of Texas vs. Bush Coker.....	15 60
		To pay Hall Etter, official district court stenographer, one-half of transcript fees in the hereinafter styled and numbered causes, where the court was required to and did appoint attorneys to represent defendants in criminal action, as provided in Section 14, Chapter 119, Acts of the Thirty-second Legislature, which one-half of said transcript fees are as follows, to wit:	
		No. 3166. The State of Texas vs. Alfred Alexander	20 00
		No. 3162. The State of Texas vs. Cullen Nobles and Curtis McGinsey...	14 00
		No. 3162. The State of	

Texas vs. Curtis McGinsey	12 00	thereof as may be necessary	1,000 00
No. 3251. The State of Texas vs. Curtis McGinsey	17 00	For support and maintenance of the Deaf and Dumb and Blind Institute, Colored, for the fiscal year ending August 31, 1913.....	400 00
No. 3282 and No. 3283. The State of Texas vs. Will Johnson	15 00	To erect a monument in the State Cemetery over the grave of Major General John A. Wharton, or so much thereof as may be necessary, to be expended under the direction of the Governor	1,000 00
No. The State of Texas vs. Dan McCline..	20 00	To pay Clarke & Courts for stationery bought June 18, 1913, by the Court of Civil Appeals at Texarkana	33 75
No. The State of Texas vs. Lillie Maxwell	19 00	To pay Geo. D. Barnard & Co., stationery accounts for the Court of Civil Appeals at Texarkana for Stationery bought during the months of April, May and October, 1911, and January, 1913	201 80
Total	117 00	To pay E. T. Rosborough for one typewriter furnished Court of Civil Appeals, Sixth District, during year 1907.....	100 00
To pay Sam W. Davis, official court reporter Fifteenth Judicial District, in case of State of Texas vs. Carl Oliver	24 10	To pay E. T. Rosborough for one wide carriage typewriter furnished Court of Civil Appeals, Sixth District, during year 1908..	115 00
To pay Charles E. Pickle, official court reporter, Fifty-third Judicial District, for services in cases of State of Texas vs. John Henry and W. M. Stevens.....	21 37	To pay E. T. Rosborough difference in exchange of two typewriters for Court of Civil Appeals, Sixth District, during year 1911..	125 00
To pay T. M. Harrell, official court reporter Seventy-first Judicial District, for services in case of State of Texas vs. Israel Hill.....	28 15	To pay E. T. Rosborough difference in exchange of one typewriter for the Court of Civil Appeals, Sixth District, during year 1912	35 00
To pay Henry Mings, official court reporter Seventh Judicial District, for services rendered in case of State of Texas vs. Tom Tate....	153 00	To pay E. T. Rosborough for repairing and remodeling one typewriter for Court of Civil Appeals, Sixth District	15 00
To pay T. M. Harrell, official court reporter Seventy-first Judicial District, for services rendered in case of State of Texas vs. Philip Brookins	23 60	To pay Joe Murray for postage stamps for Court of Civil Appeals, Fourth District, during months of May, June and July, 1913, account being approved by W. S. Fly, Chief Justice.	28 50
To pay C. I. Evans, official court reporter of Criminal District No. 2, Dallas county, in case of State of Texas vs. Ed Jones.....	48 40	To pay Remington Typewriter Company balance due on typewriters for the General Land Office.....	297 20
To pay George E. Bell, official court reporter Thirty-seventh Judicial District, in cases of State of Texas vs. A. Calderon and Frank Smith	10 40		
To complete the erection of a monument in the court house yard at Granbury, Hood county, Texas, to the memory of Brigadier General H. B. Granbury, to be expended under the direction of the Daughters of the Confederacy of Granbury Camp, or so much			

To pay the Underwood Type-writer Company balance due on typewriters for the General Land Office.....	247 53	ers' Mutual Hail Insurance Company of Minnesota, fees paid to the State of Texas for permit to do business in the State, said application being refused..	46 25
To pay John W. Benson the following: For service as a Texas Ranger for five months at \$40 per month, from March, 1860, to July, 1860, inclusive	200 00	To refund William M. Dunson, Travis county, State taxes erroneously paid the year 1911, same having been paid twice.....	22 92
To refund E. M. Bacon money paid into the State Treasury for land applied for under Act of 1879, said application being rejected by the Land Commissioner in accordance with judgment of the district court of Mitchell county, as per certificate of Land Commissioner	579 00	To pay J. T. Robinson for copying General and Special Laws of the Thirty-third Legislature and for proof reading General Laws, 114 days' work ...	400 00
To refund to H. T. Reuter-mann, of Bexar county, State portion of a tax as sewing machine agent for the years from April 16, 1910, to April 15, 1911, and from April 16, 1911, to April 15, 1912, due to the fact that the law known as the merchants' occupation tax law was declared unconstitutional about the latter date	30 00	To pay sundry accounts due by the Nacogdoches Experiment Station, vouchers to be approved by the Director of Experiment Stations, as follows:	
To pay C. A. Dahlich for chairs, etc., furnished the Deaf and Dumb Institute, November, 1910, said account having approval of the board, which has never been paid	46 60	Labor on buildings.....	123 80
Salary of one assistant inspector of masonry from July 3, 1913, to September 1, 1913	290 00	Superintendent's account	341 00
Expenses of assistant inspector of masonry, July 3, 1913, to August 1, 1913....	76 35	Fertilizers	105 00
Estimated expenses of assistant inspector of masonry August 1, 1913, to September 1, 1913	80 00	Feed stuffs	80 20
To pay Wm. J. Bailey of Ft. Worth, Texas, ten months' rent on feeding station for the months of February to November, 1911, inclusive, said account being approved by the Director of State Experiment Stations	833 33	Salaries June, July and August, 1913	300 00
To pay additional expenses of extra live stock inspectors up to September 1, 1913..	2500 00	Labor	50 00
To refund to the State Farm-		To pay the Texas State prison system for cast iron pipe furnished the Confederate Home, said account being approved by the storekeeper for said Home	411 03
		To pay amount due Company I. 2d Infantry, Texas National Guard, for services rendered at Laredo February and March, 1913, in aid of civil authority.....	143 45
		To pay for services rendered by Companies A, B, D and Hospital detachment, 4th Infantry, Texas National Guard, at Ft. Worth, Texas, May, 1913, on the call of the sheriff of Tarrant county, in aid of civil authority	1,075 45
		To pay increase of salaries of twenty-four judges of the Eighth Supreme Judicial District from July 1, 1913, to August 31, 1913, inclusive	2,000 00
		To pay increase of salaries for the six judges of the Supreme Court and Court of Criminal Appeals, from July 1, 1913, to August 31, 1913	1,000 00
		To pay amount due the city	

of Austin for paving Lavaca street, from Tenth to Eleventh streets, in the rear of the Governor's Mansion	1,058 75	Support and maintenance, running expenses	15,000 00
For mileage and per diem, Regular Session Thirty-third Legislature, being balance due J. L. Robinson and Noel Brown, Journal Clerks	150 00	Prairie View Normal:	
To pay the following amounts necessary for the enforcement of the provisions of Section 9a, 9b, 9c, 9d, 9e, 9f, 9g, 9h and 9i, of Chapter 17, Acts of the First Called Session of the Thirty-first Legislature, to be expended in two years ending August 31, 1913, as follows:		Support and maintenance	10,000 00
Registered claims	996 72	Public Buildings and Grounds:	
Estimated claims, outstanding and unregistered, based upon commissions to take depositions already issued	1,000 00	Water, light, fuel and contingencies	1,200 00
To pay claims of court reporters for transcribing testimonies in felony cases where pauper oath is filed, as provided by law	250 00	Public Printing:	
Approved deficiencies for the year ending August 31, 1913:		Printing, first, second and third class, etc.	12,000 00
State Tax Board:		Claims registered in the Comptroller's office, appropriations being exhausted for the fiscal year ending August 31, 1913.	
Salary of bookkeeper, stenographer, etc.	150 00	Southwestern Insane Asylum:	
Postage, express, telegraphing and telephone	100 00	Support and maintenance ..	430 15
Contingent expenses	75 00	For the fiscal year ending August 31, 1912:	
Insurance and Banking:		To pay special judges ..	239 28
Postage, stationery, express, etc.	1,000 00	To refund liquor dealers the proportionate amount of taxes paid by them for the unexpired term of their license in local option districts and to refund the State's portion of liquor license under Chapter 17, of the First Called Session of the Thirty-first Legislature, Sections 17 and 16, August 31, 1913	2,500 00
Contingent expenses	150 00	For the payment of fees and costs of sheriffs, clerks and attorneys in felony cases for the year ending August 31, 1913:	
State Library:		Registered	51,070 91
Library supplies, postage and freight	100 00	For the year ending August 31, 1911	2,865 94
Contingent expenses	25 00	Fees of county judges, county attorneys, justices of the peace, sheriffs and constables in examining trials	1,784 00
State Lunatic Asylum:		For the payment of sheriffs, clerks and attorneys in felony cases for the year ending August 31, 1912	56 85
Support and maintenance ..	30,000 00	For expenses of attached witnesses for the year ending August 31, 1913	29 66
Dry goods and clothing ...	6,000 00		
Repairs	2,000 00		
State Purchasing Agent:			
Contingent expenses	300 00		
A. and M. College:			
Support and maintenance, salaries	45,000 00		

Fees of county judges, county attorneys, jus- tices of the peace, sheriffs and constables in examining trials for the year ending Au- gust 31, 1912	7 00
To refund to the Leon H. Blum Land Company taxes erroneously paid on land in E. Thomas Survey, Ab- stract 73, Harris county, Texas	17 33
Total	\$109,567 77

Sec. 2. Whereas, there are no appro-
priations to pay claims against the State
herein provided for, which are outstand-
ing and are legal claims against the
State, creates an emergency and an im-
perative public necessity, which justifies
the suspension of the constitutional rule
requiring bills to be read on three sev-
eral days in each House, and this act
take effect and be in force from and after
its passage, and it is so enacted.

Amend House bill No. 29 by adding
before Section 2, the following:

"Public Debt.—Payment of interest on
public debt for the year ending August
31, 1914, \$129,691.00; for the year end-
ing August 31, 1915, \$129,691.00."

Adopted.

W. R. LONG,
Chief Clerk, House of Representatives.

Amend the bill by inserting after line
25 the following: "To pay to Miss
Mary Mercer for stenographic work in
preparing an application for a deficiency
appropriation for the Colored Deaf,
Dumb and Blind Asylum, at the request
of the board of managers for said asy-
lum, \$5.00."

Adopted.

W. R. LONG,
Chief Clerk, House of Representatives.

Amend caption to House bill No. 29
so as to read as follows:

"An Act making appropriations to pay
various miscellaneous claims against the
State, authorizing the payment of said
miscellaneous items on the taking effect
of this act, making appropriations for
deficiencies incurred in the support of
the State government for the fiscal years
ending August 31, 1911, 1912, and 1913,
and for the purpose of meeting emer-
gencies occurring during the fiscal year
ending August 31, 1913, and to pay the
interest on the public debt for the two

years ending August 31, 1915, and de-
claring an emergency."

Adopted.

W. R. LONG,
Chief Clerk, House of Representatives.

Amend House bill No. 29, Section 1,
so as to read as follows:

"Section 1. That the following sums
of money, or so much thereof as may be
necessary, be, and the same are hereby
appropriated out of any money in the
Treasury not otherwise appropriated to
pay various miscellaneous claims against
the State, as herein enumerated; and
for the deficiencies incurred in the sup-
port of the State government for the
fiscal years ending August 31, 1911,
1912, and 1913, and for the purpose of
meeting emergencies occurring during
the fiscal year ending August 31, 1913,
and to pay the interest on the public
debt for the two years ending August
31, 1915."

Adopted.

W. R. LONG,
Chief Clerk, House of Representatives.

COMMITTEE REPORTS.

Committee Room,
Austin, Texas, August 15, 1913.

Hon. Will H. Mayes, President of the
Senate.

Sir: Your Committee on Finance, to
whom was referred

House bill No. 29, A bill to be entitled
"An Act making appropriations to pay
various miscellaneous claims against the
State, authorizing the payment of said
miscellaneous items on the taking effect
of this act, making appropriations for
deficiencies incurred in the support of
the State government for the fiscal year
ending August 31, 1913, and for the pur-
pose of meeting emergencies occurring
during the fiscal year ending August 31,
1913, and declaring an emergency,"

Have had the same under considera-
tion, and I am instructed to report the
same back to the Senate with the recom-
mendation that it do pass with the fol-
lowing committee amendments, and that
it be not printed.

Amend the bill by striking out all
after the enacting clause and substitute
the following in lieu thereof:

Section 1. That the following sums of
money, or so much thereof as may be
necessary, be and the same are hereby
appropriated out of any money in the
State Treasury not otherwise appropri-
ated, to pay deficiencies in the appropri-
ations made for the support of the State

government, registered for the fiscal years ending August 31, 1912, and August 31, 1913, and for emergency and miscellaneous appropriations:

State Tax Board—Salary of book-keeper, stenographer, etc., \$150; postage, express, telegraphing and telephone, \$100; contingent expenses, \$75.

Insurance and Banking—Postage, stationery, express, etc., \$1000; contingent expenses, \$150.

State Library—Library supplies, postage and freight, \$100; contingent expenses, \$25.

State Lunatic Asylum—Support and maintenance, \$30,000; dry goods and clothing, \$6000; repairs, \$2000.

State Purchasing Agent—Contingent expenses, \$300.

A. and M. College.—Support and maintenance, salaries, \$45,000; support and maintenance, running expenses, \$15,000.

Prairie View Normal.—Support and maintenance, \$10,000.

Public Buildings and Grounds.—Water, light, fuel and contingencies, \$1200.

Public Printing.—Printing, first, second and third class, etc., \$12,000.

Southwestern Insane Asylum.—For the fiscal year ending August 31, 1912, to pay special judges, \$239.28.

To refund liquor dealers the proportionate amount of taxes paid by them for the unexpired term of their license in local option districts, and to refund the State's portion of liquor license under Chapter 17 of the First Called Session of the Thirty-first Legislature, Sections 7 and 16, August 31, 1913, \$2500.

For the payment of fees and costs of sheriffs' clerks and attorneys in felony cases for the year ending August 31, 1913, registered, \$51,070.91.

To refund liquor dealers the proportionate amount of taxes heretofore paid by them for the unexpired term of their licenses in local option districts, and for other purposes, up to August 31, 1915, and to refund the State's portion of all such licenses heretofore paid under laws heretofore enacted, or so much thereof as may be necessary, \$15,000.

For the payment of sheriffs' clerks and attorneys in felony cases for the year ending August 31, 1912, \$56.85.

For expenses of attached witnesses for the year ending August 31, 1912, \$29.66.

Fees of county judges, county attorneys, justices of the peace, sheriffs and constables in examining trials for the year ending August 31, 1912, \$7.

For the enforcement of provisions of Secs. 9a, 9b, 9c, 9d, 9e, 9f, 9g, 9h, 9i, of

Chapter 17, Acts of the First Called Session of the Thirty-first Legislature, to be expended in two years ending August 31, 1913, \$2073.72.

For the purpose of carrying into effect the provisions of Articles 5353, 5354 and 5355, of the Revised Civil Statutes of 1911, there is hereby appropriated out of any funds in the hands of the Treasurer not otherwise appropriated, the sum of \$10,000 for the fiscal year ending August 31, 1914, and \$10,000 for the fiscal year ending August 31, 1915, or so much thereof as may be necessary, to be expended in two years under the direction of the Governor, Attorney General and Commissioner of the General Land Office of the State of Texas, \$20,000.

Treasury Department.—To refund purchasers, or lessees of public domain, public school lands, etc., when approved by the Attorney General, \$2536.18.

Prairie View State Normal.—Balance on deficiency for the years beginning September 1, 1911, and ending August 31, 1913, \$30,582.99.

Agricultural and Mechanical College.—Balance on deficiency for the years beginning September 1, 1911, and ending August 31, 1913, \$27,265.83; to complete new mess hall, \$12,529; to complete main building, \$22,500. Provided, that so much of the appropriation herein provided for to complete the new mess hall and the main building shall be allowed as the same may be approved by the Governor, and that no part of the said sum appropriated shall be used to supplement any amount contracted to be paid to any contractor for any work included in said contracts.

To pay increase in salaries of judges of the Supreme Court, Court of Criminal Appeals and Courts of Civil Appeals, for the months of July and August, 1913, as provided by Act of the Regular Session of the Thirty-third Legislature, specifically as follows: Three judges of the Supreme Court, each at \$83.33 per month, for two months, \$499.98; three judges of the Court of Criminal Appeals, each at \$83.33 per month, for two months, \$499.98; twenty-four judges of the Courts of Civil Appeals, each at \$41.66 per month or \$83.66 for two months, \$1999.92.

To purchase a bust of General Mammucan Hunt, now in the possession of his widow in Montgomery, Texas, together with any papers and historical data that may be in the possession of said widow, to be deposited in the State Library in the Capitol at Austin, the sum of \$2000. And the Governor is hereby authorized to draw a warrant for

said sum against the general revenues for this purpose, and the Comptroller is hereby authorized to issue warrant against the State Treasurer, and the Treasurer is hereby authorized to pay same.

Special Judges.—To pay Judge J. Llewellyn (special judge for Ninth Judicial District) salary from April 26, 1913, to August 31, 1913, \$1041.66.

To pay Judge W. J. Mathis (special judge for Grayson county) salary from May 12, 1913, to August 31, 1913, \$908.33.

To pay Ellis Brothers of El Paso, account created by the Court of Civil Appeals (Eighth Supreme Judicial District), upon approved account, \$97.95.

To pay J. I. Driscoll, clerk of the Eighth Supreme Judicial District Court, amount paid for stamps, \$35.

To pay George D. Barnard & Co. for supplies furnished the Eighth Supreme Judicial District Court, \$47.50.

To erect monument in San Patricio county to the memory of James McGloin, empresario of the McMullen and McGloin colony, subject to the approval of the Governor, \$1000.

To pay Bascom Lynn, superintendent Tuberculosis Sanitarium, amount paid for salary account of the State on December, 1912, pay roll, \$1572.54.

To reimburse Continental Land and Cattle Co. for taxes erroneously collected by the State and erroneously paid on lands in Hall, Cottle and Motley counties for the years 1892 to 1911, inclusive, \$1169.77.

To pay J. T. Robison for copying General and Special Laws of the Thirty-third Legislature and for proof reading General Laws in Secretary of State's office (114 days' work), \$400.

All the unexpended balance of the appropriation made by the Thirty-second Legislature, Chapter 32, of the General Laws as enacted at the Regular Session, being House bill No. 142, said appropriation being included in Section 6 of said act, are hereby appropriated for the purposes of said act and the payment of said bounties as therein enumerated, for the two years beginning September 1, 1913, and ending August 31, 1915, \$_____.

To pay William Reese, manager for the Colonial and United States Mortgage Company, Ltd., overpaid franchise tax, \$72.

To pay amount due W. M. Atkison, district attorney of the Twenty-fifth Judicial District, for services rendered in trial of certain cases in the years 1908 and 1909, \$180.

To pay Judge Sam R. Scott and as-

sistants for services rendered in connection with the locating and re-marking boundary line between New Mexico and the State of Texas, as per contract entered into by the Governor of the State of Texas and Judge Scott on the 12th day of April, 1911, \$10,073.49.

To erect a monument in the State Cemetery over the grave of Brigadier General John A. Wharton, or so much thereof as may be necessary, \$1000.

To pay Remington Typewriter Company balance due on typewriters for the General Land Office, \$297.50.

To pay Underwood Typewriter Company balance due on typewriters for the General Land Office, \$247.53.

To pay amount due Company I, Second Infantry, Texas National Guard, for services rendered at Laredo, February and March, 1913, in aid of civil authorities, \$143.45.

To pay for services rendered by Companies A, B, and D, Hospital Detachment, Fourth Infantry, Texas National Guard, at Fort Worth, Texas, May, 1913, on the call of the sheriff of Tarrant county, in aid of civil authority, \$1075.45.

To pay increase of salaries of 24 judges of the Eighth Supreme Judicial District from July 1, 1913, to August 31, 1913, inclusive, \$2000.

To pay increase of salaries for the six judges of the Supreme Court and Court of Criminal Appeals from July 1, 1913, to August 31, 1913, \$1000.

To pay amount due the city of Austin for paying Lavaca street from Tenth to Eleventh streets, in the rear of the Governor's mansion, \$1058.75.

For mileage and per diem, regular session, Thirty-third Legislature, being balance due J. L. Robinson and Noel Brown, Journal Clerks, \$150.

To complete the erection of a monument in the court house yard at Granbury, Hood county, Texas, to the memory of Brigadier-General H. B. Granbury to be expended under the direction of the Daughters of Confederacy of Granbury Camp, or so much thereof as may be necessary, \$1000.

To pay the keeper of San Jacinto Battle Ground for services rendered up to and inclusive of August 31, 1913, under the direction and supervision of the Superintendent of Public Buildings and Grounds, \$900.

Sec. 2. The appropriations herein provided for are to be construed as the maximum sums to be appropriated to and for the several purposes named herein, and no expenditures shall be made, nor shall any obligations be incurred which, added to the actual ex-

penditures, will exceed the amounts herein appropriated for either of the said purposes, except under the provisions provided for in Article 4342 of Chapter 2, Title 65 of the Revised Civil Statutes of 1911.

Sec. 3. Whereas, there are no appropriations to pay claims against the State herein provided for, which are outstanding and are legal claims against the State, creates an emergency and an imperative public necessity which justifies the suspension of the constitutional rule requiring bills to be read on three several days in each house, and this act take effect and be in force from and after its passage, and it is so enacted.

WILLACY, Chairman.

(Floor Report.)

Austin, Texas, August 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

Senate bill No. 48, A bill to be entitled "An Act to amend Section 2, Chapter 67, Local and Special Laws of the Acts of the Thirty-second Legislature of the State of Texas, creating a special road law for Mason county, Texas, so as to provide that hands employed to work on the public roads shall be paid not more than \$1.50 per day, and that not more than \$3.00 per day shall be paid for a team and driver, and further so as to provide that the superintendent of roads and bridges shall have charge of all public roads and bridges and supervise all work done thereon, but that the county commissioners shall inspect the roads within their respective precincts once each month, and shall receive as compensation therefor \$3.00 per day for the time actually employed in the discharge of such duty, provided that no commissioner shall receive pay for more than three days in any one month, and providing for an emergency."

Have had the same under consideration, and beg leave to report same back to the Senate with the recommendation that it do pass and be not printed.

Terrell, Chairman; Westbrook, Taylor, McNealus, Harley.

(Floor Report.)

Austin, Texas, August 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Roads,

Bridges and Ferries, to whom was referred

House bill No. 52, A bill to be entitled "An Act to amend the special road law for Smith county, Texas, passed at the Regular Session of the Thirty-third Legislature, and known as Chapter 70, Special Laws of the Thirty-third Legislature, and creating an emergency, and providing for the suspension of the constitutional rule requiring all bills to be read on three several days."

Have had the same under consideration, and beg leave to report same back to the Senate with the recommendation that it do pass, and be not printed.

Terrell, Chairman; Westbrook, Taylor, McNealus, Townsend, Harley, Morrow.

(Floor Report.)

Austin, Texas, August 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 58, A bill to be entitled "An Act to amend Chapter 38 of the Special Laws of the Thirty-second Legislature as amended by the Thirty-third Legislature, entitled 'An Act to create a more efficient road system for Wood county, etc.,' by making it unlawful to injure or damage any public road in said county; prescribing penalties, and declaring an emergency."

Have had the same under consideration, and beg leave to report same back to the Senate with the recommendation that it do pass, and be not printed.

Terrell, Chairman; Westbrook, Taylor, McNealus, Townsend, Harley, Morrow.

(Floor Report.)

Austin, Texas, August 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 81, A bill to be entitled "An Act to repeal Chapter 121, Special Laws of the Regular Session of the Thirty-third Legislature, the same being a special road law for Liberty county, and declaring an emergency."

Have had the same under consideration, and beg leave to report same back to the Senate with the recommendation that it do pass, and be not printed.

Terrell, Chairman; Westbrook, Taylor, Harley, McNealus, Townsend.

Committee Room,
Austin, Texas, August 15, 1913.
Hon. Will H. Mayes, President of the
Senate.

Sir: Your Committee on Judicial Districts, to whom was referred

House bill No. 62, A bill to be entitled "An Act to change and prescribe the time for holding district court in the Forty-ninth Judicial District of Texas, and to repeal all laws in conflict herewith, and declaring an emergency,"

Have had the same under consideration, and beg leave to report same back to the Senate with the recommendation that it do pass, and be not printed.

HUDSPETH, Chairman.

(Floor Report.)

Austin, Texas, August 15, 1913.
Hon. Will H. Mayes, President of the
Senate.

Sir: Your Committee on Judicial Districts, to whom was referred

House bill No. 43, A bill to be entitled "An Act to fix the time for holding the terms of the district court in the Forty-seventh Judicial District, and to repeal all laws in conflict herewith, and declaring an emergency,"

Have had same under consideration, and beg leave to report same back to the Senate with the recommendation that it do pass, and be not printed.

Hudspeth, Chairman; Nugent, Collins, Morrow, Carter, Greer, Taylor, Bailey of Harris.

(Floor Report.)

Austin, Texas, August 15, 1913.
Hon. Will H. Mayes, President of the
Senate.

Sir: Your Committee on Judicial Districts, to whom was referred

House bill No. 33, A bill to be entitled "An Act to reorganize the Thirty-fourth Judicial District of Texas, to regulate the time of holding the district courts in the various counties composing the Thirty-fourth Judicial District of Texas, providing for the returning of the process issued and to be issued by said courts, validating process heretofore issued by said court, and declaring an emergency,"

Have had same under consideration, and beg leave to report same back to the Senate with the recommendation that it do pass, and be not printed.

Hudspeth, Chairman; Nugent, Collins, Morrow, Carter, Greer, Taylor, Bailey of Harris.

(Floor Report.)

Austin, Texas, August 15, 1913.
Hon. Will H. Mayes, President of the
Senate.

Sir: Your Committee on Judicial Districts, to whom was referred

House bill No. 55, A bill to be entitled "An Act to reorganize the Twenty-eighth Judicial District of the State of Texas to fix the times for holding the terms of district court therein; to make all process heretofore issued as well as bonds and recognizances heretofore entered into conform thereto, and to repeal all laws and parts of laws in conflict therewith, and declaring an emergency,"

Have had some under consideration, and beg leave to report same back to the Senate with the recommendation that it do pass, and be not printed.

Hudspeth, Chairman; Nugent, Collins, Morrow, Carter, Greer, Taylor, Bailey of Harris.

(Floor Report.)

Austin, Texas, August 15, 1913.
Hon. Will H. Mayes, President of the
Senate.

Sir: Your Committee on Judicial Districts, to whom was referred

House bill No. 50, A bill to be entitled "An Act to create a special district court for the Fifth Judicial District of Texas; to prescribe its jurisdiction, to limit its existence, to fix its terms, to conform all writs and process from said court to the district court in said district to such changes as are made in the jurisdiction of the said court by this bill, to empower the judge of said district court, and the judge of the Fifth Judicial District to transfer cases from their respective courts to the other of said courts, to provide for the appointment of a judge for said special district court, to fix his salary and term of office, and declaring an emergency,"

Have had same under consideration, and beg leave to report same back to the Senate with the recommendation that it do pass, with its amendment, and be not printed.

Hudspeth, Chairman; Nugent, Collins, Morrow, Carter, Greer, Taylor, Bailey of Harris.

(Floor Report.)

Austin, Texas, August 15, 1913.
Hon. Will H. Mayes, President of the
Senate.

Sir: Your Committee on Judicial Districts, to whom was referred

House bill No. 60, A bill to be entitled "An Act to amend Sections 26 and 53, of Article 30, of Title 5, of the Revised

Statutes of Texas, 1911, and to change and prescribe the time for holding the district court in the Twenty-sixth Judicial District of the State of Texas, and the Fifty-third Judicial District of the State of Texas, and to define the jurisdiction of said courts, and to provide for the venue and transfer of causes in the Twenty-sixth and Fifty-third District Courts, and to provide for a clerk of the district court of the Twenty-sixth and Fifty-third Judicial District Courts in and for Travis county, and to conform all writs, process, bonds, recognizances and drawing of petit grand juries of such courts to the changes made, and providing for the drawing of grand juries in the Twenty-sixth and Fifty-third Judicial Districts, and to repeal all laws in conflict herewith, and declaring an emergency."

Have had same under consideration, and beg leave to report same back to the Senate with the recommendation that it do pass, and be not printed.

Hudspeth, Chairman; Nugent, Collins, Morrow, Carter, Greer, Taylor, Bailey of Harris.

Committee Room,

Austin, Texas, August 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Agricultural Affairs, to whom was referred

House bill No. 40, A bill to be entitled "An Act to amend Chapter 162 of the Acts of the Regular Session of the Thirty-third Legislature of the State of Texas,"

Have had the same under consideration, and beg leave to report same back to the Senate with the recommendation that it do pass, and be not printed.

ASTIN, Chairman.

(Floor Report.)

Austin, Texas, August 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Internal Improvements, to whom was referred

House bill No. 72, A bill to be entitled "An Act to amend and re-enact Article 5585 and Article 5588, Title 83, Chapter 3, of the Revised Civil Statutes of Texas, relating to seawalls and breakwaters, and declaring an emergency,"

Have had the same under consideration, and beg leave to report same back to the Senate with the recommendation that it do pass, and be not printed.

Lattimore, Chairman; McNealus, McGregor, Townsend, Cowell, Taylor, Morrow, Westbrook, Conner, Bailey of Har-

ris, Brelsford, Collins, Nugent, Hudspeth.

(Floor Report.)

Austin, Texas, August 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred

House bill No. 75, A bill to be entitled "An Act creating the Copita Independent School District in Duval county, Texas; defining its metes and bounds; vesting it with the rights, powers, duties and privileges of districts incorporated for school purposes only under the general law; providing for a board of trustees therefor, and declaring an emergency,"

Have had the same under consideration, and beg leave to report same back to the Senate with the recommendation that it do pass, and be not printed.

Darwin, Acting Chairman; Harley, Wiley, Astin, Cowell, Gibson.

(Floor Report.)

Austin, Texas, August 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred

House bill No. 56, A bill to be entitled "An Act creating the Port Aransas Independent School District, and declaring an emergency,"

Have had the same under consideration, and beg leave to report same back to the Senate with the recommendation that it do pass, and be not printed.

Darwin, Acting Chairman; Harley, Wiley, Astin, Cowell, Gibson.

(Floor Report.)

Austin, Texas, August 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred

House bill No. 59, A bill to be entitled "An Act to incorporate Thorndale School District in Milam and Williamson counties, as an independent school district; and to provide for the election of trustees, raising revenue by taxation, and issuing bonds for the erection of school buildings within said district, and declaring an emergency,"

Have had the same under consideration, and beg leave to report same back to the Senate with the recommendation that it do pass, and be not printed.

Darwin, Acting Chairman; Gibson, Astin, Cowell, Harley.

(Floor Report.)

Austin, Texas, August 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred

House bill No. 47, A bill to be entitled "An Act to incorporate the Fruitvale Independent School District in Van Zandt county for free school purposes only; describing its boundaries, providing for a board of school trustees for the control and management of the said independent school district, prescribing the rights, powers, privileges and duties of the said Fruitvale Independent School District and its board of school trustees, vesting it with all the rights, powers, privileges and duties of a town or village incorporated under the general laws of this State for free school purposes; providing for a treasurer of school funds of the district, and declaring an emergency,"

Have had the same under consideration, and beg leave to report same back to the Senate with the recommendation that it do pass, and be not printed.

Darwin, Acting Chairman; Clark, Astin, Cowell, Gibson, Wiley, Harley.

Committee Room.

Austin, Texas, August 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Contingent Expenses, to whom was referred motion to allow per diem of the Senator from Cass from August 6, 1913, and also the amendment thereto, together with the substitute as amended, beg leave to report that we have had the same under consideration, and desire to say that we favor the allowance of the per diem to the Senator from Cass, as provided in the original motion, but inasmuch as we have no control over the per diem fund, same being fixed by the Constitution, we therefore feel that it is beyond our province to pass on the same. As to the amendments and the substitute as amended, we recommend to the Senate that the same be not adopted.

Warren, Carter, Cowell, Conner.

(Floor Report.)

Austin, Texas, August 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Agricultural Affairs, to whom was referred

Senate Concurrent Resolution No. 5, A resolution providing for the appointment of a State commission to raise the

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funds, assemble, prepare, install and maintain an exhibit of the resources of the State of Texas at the Panama-Pacific International Exposition at San Francisco, 1915,

Have had same under consideration, and beg leave to report same back to the Senate with the recommendation that it do pass, and be not printed.

Astin, Chairman; Westbrook, Taylor, Bailey of DeWitt, Conner.

(Floor Report.)

Austin, Texas, August 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Judiciary Committee No. 2, to whom was referred

House bill No. 39, A bill to be entitled "An Act to prohibit the use of any imitation label, trade mark, design, device, imprint or form of the flag of the State of Texas for advertising or commercial purposes, and prohibiting the offering or exposing for sale any article or commodity bearing such imitation, design, imprint or form of the flag of the State of Texas, fixing a penalty for violation thereof, and declaring an emergency,"

Have had same under consideration, and beg leave to report same back to the Senate with the recommendation that it do pass, and be not printed.

Conner, Chairman; Nugent, Oliver, Bailey of Harris, Carter, Clark, McGregor.

(Floor Report.)

Austin, Texas, August 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Federal Relations, to whom was referred

Senate bill No. 44, A bill to be entitled "An Act authorizing the city of Nacogdoches, a municipal corporation, to sell the United States of America a portion of the Main Plaza for a Federal building site, and declaring an emergency."

Have had same under consideration, and beg leave to report same back to the Senate with the recommendation that it do pass, and be not printed.

Westbrook, Chairman; Warren, Oliver, Hudspeth, Johnson.

Committee Room.

Austin, Texas, August 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 40, A bill to be entitled "An Act to amend Article 911 of the Penal Code of the State of Texas, as

amended at the Regular Session of the Thirty-third Legislature, Chapter 135, page 186, Acts of the Thirty-third Legislature, so as to prevent taking fish or terrapin by drag seine during the breeding season, and to prevent seining and netting in all passes leading from Texas bay waters into the Gulf of Mexico, and in all streams and canals leading from one body of salt water to another body of salt water in the State of Texas; to empower the Game, Fish and Oyster Commissioner to close waters against seining and netting under certain conditions, and to prevent seining during the breeding season in salt waters, and providing penalty for the violation of this act, and declaring an emergency."

Have had same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass, and be not printed.

CONNER, Chairman.

Committee Room,
Austin, Texas, August 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 22, A bill to be entitled "An Act to create a more efficient road system for Hall county, Texas, and making the commissioners court of said county ex-officio road commissioners in their respective precincts, making this act cumulative, and declaring an emergency,"

And find it correctly engrossed.

BRELSFORD, Chairman.

Committee Room,
Austin, Texas, August 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 45, A bill to be entitled "An Act creating the Files Valley Orphans' Home Independent School District; providing for the appointment of trustees of said district; defining the boundaries, and declaring an emergency,"

And find it correctly engrossed.

BRELSFORD, Chairman.

Committee Room,
Austin, Texas, August 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed

Bills have carefully examined and compared

Senate bill No. 28, A bill to be entitled "An Act to amend Chapter 41, Acts of the Twenty-ninth Legislature, as amended by the Thirtieth Legislature, being 'An Act to create a more efficient road system for Dallas county,' and declaring an emergency,"

And find it correctly engrossed.

BRELSFORD, Chairman.

Committee Room,
Austin, Texas, August 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 25, A bill to be entitled "An Act to authorize the Governor, Attorney General and Land Commissioner to lease water rights in the Guadalupe river in DeWitt county upon such terms and for such consideration as they may prescribe, and providing priority of interest in leasing, and also providing means of adjusting damages for the destruction of dams or property now owned by certain persons, and providing for the number of dams to be erected by any person, firm or corporation; the manner of measuring water, and further providing for the manner of distributing power, and regulating the sale of same, and also regulating the terms under which a sale of leasehold may be made, and fixing the rights of purchasers of said leaseholds, and declaring an emergency,"

And find it correctly engrossed.

BRELSFORD, Chairman.

PETITIONS AND MEMORIALS.

By Senator McNealus:

Dallas, Texas, August 15, 1913.

J. C. McNealus, Austin, Texas:

We understand the Governor has presented matter of repeal of House bills Nos. 28 and 508. Trust it will be possible for you to take active part in repealing these matters known as anti-co-insurance and technicality bills.

DALLAS CHAMBER OF COMMERCE,
C. W. HOBSON, President.